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No. 71 NEW DELHI, FEBRUARY 8-FEBRUARY 14, 2009, SATURDAY/MAGHA 19-MAGHA 25, 1930

इस भाग में धिन पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्यिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्यिक और प्रशिक्षण विभाग)

नई दिल्ली, 5 फरवरी, 2009

क्र.सं. 327.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साक्ष्य पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पश्चिम बंगाल राज्य सरकार, मृह पुलिस विभाग की अधिसूचना सं. 1202-पी.एस. दिनांक 7 नवंबर, 2008 द्वारा प्रदत्त सहमति से केंद्रीय अन्वेषण ब्यूरो, प्रत्यक्ष निरोधक शाखा, कोलकाता के समस्त सं.-आर.सी.-0102007 A0006 दिनांक 13 फरवरी, 2007 के अंतर्गत मुख्य कार्यकर्ता, दार्जिलिंग जेसुइट्स ऑफ नार्थ बंगाल एवं अन्य अज्ञात के विरुद्ध विशेष अभियान (विनियमन) अधिनियम, 1976 के विविध प्रावधानों के अन्वेषण एवं इसी अधिनियम के विविध धाराओं के अधीन मामलों और उक्त मामलों से संबंधित अथवा संसर्ग प्रयत्न (त्रि) और प्रत्यक्ष तथा इसी संव्यवस्था के अनुक्रम में किए गए अथवा किये जाने वाले उद्देश्य किसी अन्य अपराध (धो) का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारों का विस्तार सम्पूर्ण पश्चिम बंगाल राज्य पर करती है।

[सं. 228/98/2008-एवीडी-II]

चन्द्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 5th February, 2009.

S.O. 327.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of West Bengal, Home department, Secret Section vide Notification No. 1202-P.S. dated 7th November, 2008 hereby post-facto extends the powers and jurisdiction of the members of the Delhi Special Police establishment to whole of the State of West Bengal for investigation of a Regular Case No. RC0102007 A0006, dated 13-2-2007 under Foreign Contribution (Regulation) Act, 1976 (FCRA) against the Chief Functionary, Darjeeling Jesuits of North Bengal and others and any other public servants or persons, in relation to, or in connection with the said officers, and any other offences committed in the course of the same transaction, arising out of the same facts with regard to the aforesaid case within the whole of State of West Bengal.

[No. 228/98/2008-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 30 जनवरी, 2009

क्र.आ. 328.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम 4 के अनुसरण में राजस्व विभाग के अधीन केन्द्रीय नारकोटिक्स ब्यूरो ग्वालियर के निम्नलिखित कार्यालय को जिनके 80 प्रतिशत कर्मचारीवृन्द ने हिंदी का कार्य साधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है :-

अधीक्षक

निवारक एवं आसूचना प्रकोष्ठ

केन्द्रीय नारकोटिक्स ब्यूरो

उदयपुर

[फा. सं. 11012/1/2008-हिंदी-2]

मधु शर्मा, निदेशक (रा.भा.)

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 30th January, 2009

S.O. 328.—In pursuance of sub-rule (4) of the Rule 10 of the Official Language (Use for official purposes of the Union) Rule, 1976 the Central Government hereby notifies the following office under the Central Bureau of Narcotics, Gwalior, Department of Revenue, the 80% staff where of have acquired the working knowledge of Hindi :-

Superintendent,

Prevention and Intelligence Unit,

Central Narcotics Bureau,

Udaipur.

[F. No. 11012/1/2008-Hindi-2]

MADHU SHARMA, Director (OL)

नई दिल्ली, 30 जनवरी, 2009

क्र.आ. 329.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम 4 के अनुसरण में राजस्व विभाग के अधीन केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क बोर्ड के निम्नलिखित कार्यालय को जिनके 80 प्रतिशत कर्मचारीवृन्द ने हिंदी का कार्य साधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है :-

केन्द्रीय उत्पाद शुल्क आयुक्तालय

जालंधर (मुख्यालय चंडीगढ़)

[फा. सं. 11012/1/2008-हिंदी-2]

मधु शर्मा, निदेशक (रा.भा.)

New Delhi, the 30th January, 2009

S.O. 329.—In pursuance of sub-rule (4) of the Rule 10 of the Official Language (Use for official purposes of the Union) Rule, 1976 the Central Government hereby notifies the following office under the Central Board of Excise & Customs, Department of Revenue, the 80% staff have acquired the working knowledge of Hindi :-

Commissionerate of Central Excise,

Jalandhar (Chandigarh HQ)

[F. No. 11012/1/2008-Hindi-2]

MADHU SHARMA, Director (OL)

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 4 फरवरी, 2009

क्र.आ. 330.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उप-खण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा 3 (क) और (3-क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार, श्री कमलेश कुमार गोयल को उनकी नियुक्ति की अधिसूचना की तारीख से दो वर्षों के लिए अथवा अगस्त अगस्त होने तक, जो भी पहले हो, देना बैंक के निदेशक मंडल में अंशकालिक गैर सरकारी निदेशक के रूप में नियुक्त करती है।

[फा. सं. 9/22/2006-बीओ-1]

जी. बी. सिंह, उप सचिव

(Department of Financial Services)

New Delhi, the 4th February, 2009

S.O. 330.—In exercise of the powers conferred by sub-section 3(h) and (3-A) of Section 9 of the Banking Companies (Acquisition & Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby nominates Shri Kamlesh Kumar Goel as part-time non-official Director on the Board of Directors of Dena Bank, for a period of two years from the date of notification of his appointment or until further orders, whichever is earlier.

[F. No. 9/22/2006-BO-I]

G. B. SINGH, Dy. Secy.

नई दिल्ली, 4 फरवरी, 2009

क्र.आ. 331.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उप-खण्ड (1) और खण्ड 8 के उप-खण्ड (1) के साथ पठित, बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक के परामर्श से, एतद्वारा, श्री जगदीश पै के.एल. (जन्म तिथि : 30-6-1951) महाप्रबंधक, बैंक ऑफ इंडिया को कार्यभार ग्रहण करने की तिथि से और दिनांक 30-6-2011 तक अर्थात् उनकी अधिवर्षिता की तारीख तक अथवा अगले अगस्त तक, जो भी पहले हो, केनरा बैंक के कार्यपालक निदेशक के रूप में नियुक्त करती है।

[फा. सं. 9/16/2008-बीओ-1]

जी. बी. सिंह, उप सचिव

New Delhi, the 4th February, 2009

S.O. 331.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition & Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3, sub-clause (1) of clause 8 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with the Reserve Bank of India hereby appoints Shri Jagdish Pai K.L. (DoB: 30-6-1951) General Manager, Bank of India as a whole time director (designated as Executive Director) Canara Bank with effect from the date of his taking over charge and up to 30-6-2011 i.e. the date of his superannuation or until further orders, whichever is earlier.

[F. No. 9/16/2008-BO-I]

G. B. SINGH, Dy. Secy.

उपयोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

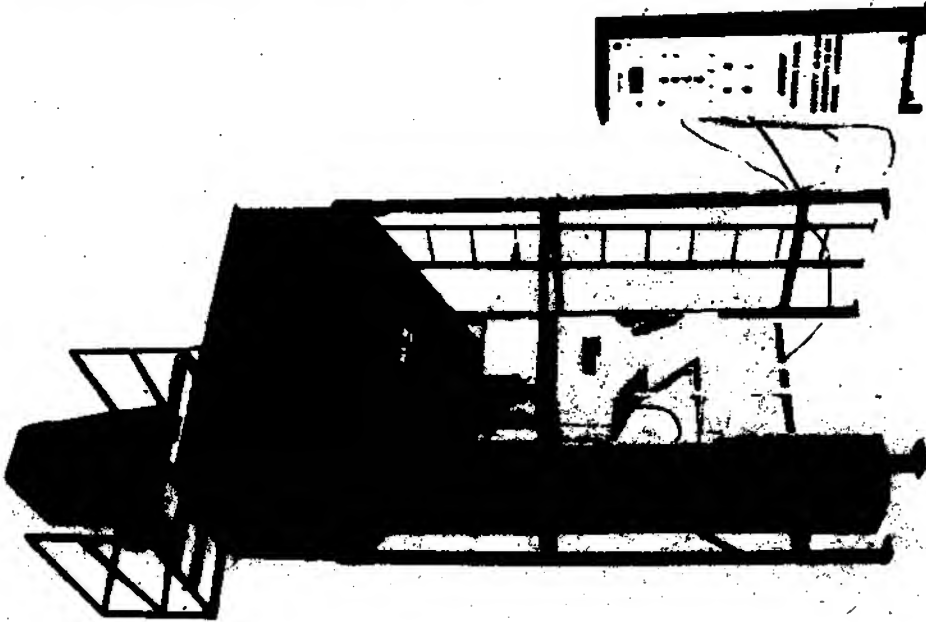
(उपयोक्ता मामले विभाग)

नई दिल्ली, 30 दिसम्बर, 2008

क्र.अ. 332—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समझाव हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ओसाव इंडस्ट्रियल प्रोडक्ट्स प्रा. लि., पी.ओ. बॉक्स नं. 42, ओसाव काम्प्लेक्स, जगन्धरी रोड, अम्बाला कैंट-133 001 द्वारा विनिर्मित यथार्थता वर्ग-X(1) वाले "IND/AWB" मूखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्रांड का नाम "INDOSAW" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन क्रिड आई एन डी/09/08/312 समुदिरित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेब प्रकार का भर सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 100 कि.ग्रा. है। इसकी भरन दर 20 लक्षण प्रति मिनट है। मशीन को ग्री फलोइंग प्रोडक्ट्स जैसे चने, अनाज, मसाले, चाय, चीनी, चावल, पीपल आदि को तोलने और भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श जोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रचलन बल विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम।

सीलिंग का तरीका और स्थान : नट एंड बोल्ट के माध्यम से इंडिकेटर के बाएं तरफ दो छेद किए गए हैं और स्ट्याम्प और सील के संचालन के लिए लीड तार से बांधे गए हैं। सील तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल सीलिंग प्रावधान का विशिष्ट स्कीम डायग्राम ऊपर दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी मूखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 कि.ग्रा. से 300 कि.ग्रा. तक की क्षमता में उसी विनिर्माता द्वारा विनिर्मित किया गया है।

[फा. सं. डब्ल्यू एम-21(147)/2008]

आर. माधुरभूषम, निदेशक, विधिक एवं विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 30th December, 2008

S.O. 332.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument belonging to Accuracy class-X(1), "IND/AWB" Series and Brand Name "INDOSAW" (hereinafter referred to as the said model), manufactured by M/s. Osaw Industrial Products Pvt. Ltd., Post Box No. 42, Osaw Complex, Jagadhari Road, Ambala Cantt-133 001 and which is assigned the approval mark IND/09/08/312;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. Its maximum capacity is 100 kg. Its maximum fill rate is 20 loads per minute. The machine is designed for weighing and filling the free flowing products like pulses, grains, spices, tea, sugar, rice, seeds etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on Bingle phase 230 Volts and 50 Hertz alternative current power supply.

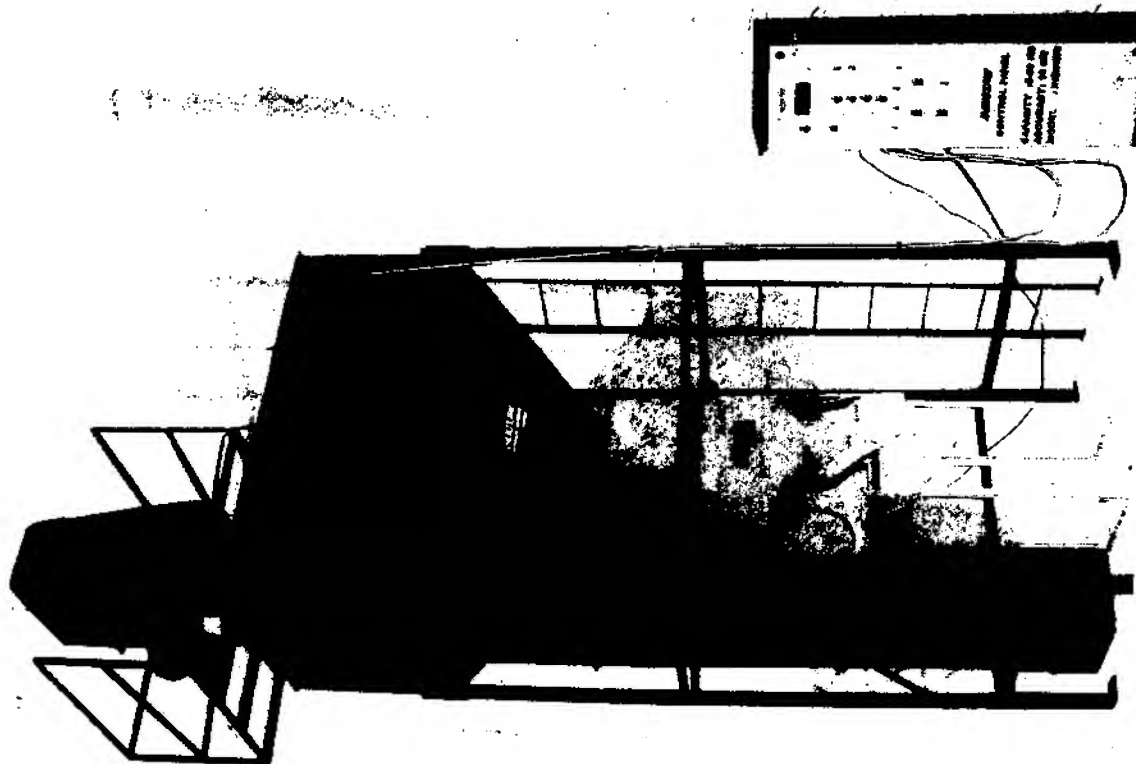


Fig. 2

Manner and Place of Sealing : On the left side of the indicator two holes are made through nuts and bolts and fastened by leaded wire for receiving the verification stamp and seal. The indicator can not be opened without opening the seal. A typical schematic diagram of the sealing arrangement of the model has been given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 1 kg to 300 kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (147)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30-दिसम्बर, 2008

का.आ. 333.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लागू प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स माटिक्स प्रोडिंग सिस्टम प्रा. लि., 213, राजलक्ष्मी कॉम्प्लेक्स, 16, विजय प्लाट, गौदल रोड, राजकोट-360 002, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एम डब्ल्यू सी के-30टी" मूलतः अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वोल्यूमेट्रिक कंवेर्सन किट टाइप) के मॉडल का, जिसके ब्रांड का नाम "माटिक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), और जिसे अनुमोदन चिह्न आई एन डी/09/08/511 सम्मन्देशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (वोल्यूमेट्रिक कंवेर्सन किट टाइप) का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन है और न्यूनतम क्षमता 100 कि. ग्रा. है। स्थापन मापमान अंतराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्त है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम।

उपकरण के इंडिकेटर में दोनों ओर छेद करते हुए सील बंद किया जायेगा और इसके बाद इन छेदों में सील वायर को डालते हुए एक सील सील लगाई जाएगी। सील को तोड़ बिना इंडिकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्रकृपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसृत और उसी सम्पत्ति से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी मूलतः अंकक सूचन के वैसे ही वेक, कक्षाधर्मता और कार्यपालक के कोलन व्यवस्था भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में स्थापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो घनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(131)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 333.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Conversion Kit Type) with digital indication of medium accuracy (Accuracy Class-III) of series "MWCK-30T" and with brand name "MATRIX" (hereinafter referred to as the said model), manufactured by M/s. Matrix Weighing Systems Pvt. Ltd., 213, Rajlaxmi Complex, 16, Vijay Plot, Gondal Road, Rajkot-360 002, Gujarat and which is assigned the approval mark IND/09/08/511;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Conversion Kit Type) with a maximum capacity of 30 tonnes and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

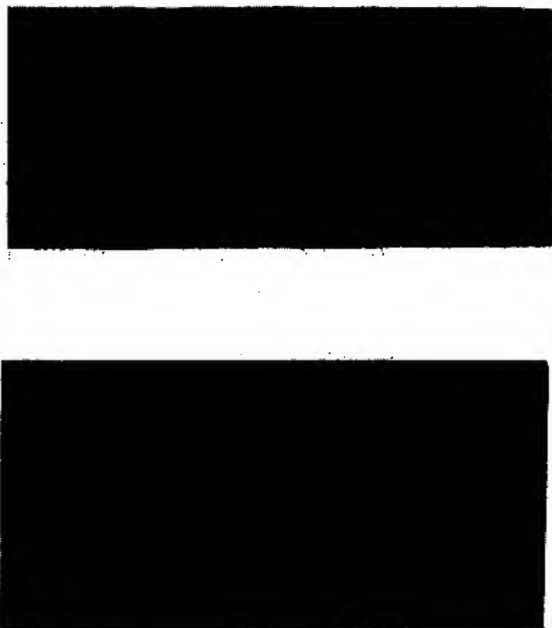


Fig. 2—Sealing provision of the indicator of the model.

Sealing is done at both sides by making holes in the indicator of the instrument, then a seal wire is passed through these holes and a lead seal is applied. The indicator cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonnes and upto 100 tonnes with verification scale interval (e) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^4 , 2×10^4 or 5×10^4 , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (131)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

New Delhi, the 30th December, 2008

S.O. 334.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of medium accuracy (Accuracy class-III) of series "WRWB-30T" and with brand name "MATRIX" (hereinafter referred to as the said model), manufactured by M/s. Matrix Weighing Systems Pvt. Ltd., 213, Rajlaxmi Complex, 16, Vijay Plot, Gondal Road, Rajkot-360 002, Gujarat and which is assigned the approval mark IND/09/08/512;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

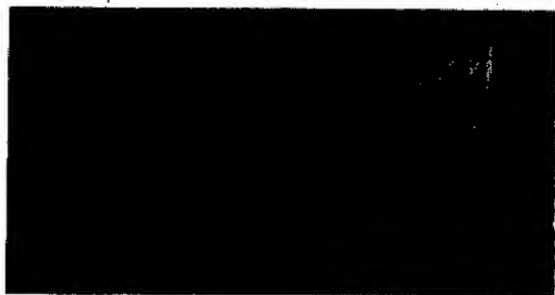


Fig. 2—Sealing provision of the indicator of the model.

Sealing is done at both sides by making holes in the indicator of the instrument, then a seal wire is passed through these holes and a lead seal is applied. The indicator cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^4 , 2×10^4 or 5×10^4 , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (131)/2008]

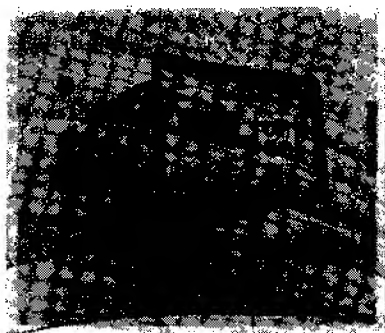
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 335.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स जिओ इक्विमेंट प्रा. लि., # 15, गनानापुरम कुनियामुथुर (पी.ओ.) कोयम्बतूर-641 008 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “जी डब्ल्यू सी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज कंवेर्सन किट प्रकार) के मॉडल का, जिसके ब्रांड का नाम “जीईओ” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/257 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज कंवेर्सन किट प्रकार) है। इसकी अधिकतम क्षमता 40 टन और न्यूनतम क्षमता 200 कि. ग्रा. है। स्थापन मापमान अंतराल (ई) 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका सतत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान की योजनाबद्ध डायग्राम

सीलिंग के लिए इंडिकेटर में छेद किए जाते हैं तथा सम्बन्धन स्टाम्प और सील की प्राप्ति हेतु इन छेदों के माध्यम से सीलिंग वायर कसा जाता है। सील को तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्रकृपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मॉडल, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में स्थापन मापमान अंतराल (एन) सहित 5 टन से ऊपर और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(40)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 335.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Conversion Kit Type) with digital indication of medium accuracy (Accuracy class-III) of series "GWC" and with brand name "GEO" (hereinafter referred to as the said model), manufactured by M/s. Geo Equipments Private Limited, # 15, Gnanapuram, Kuniyamuthur (P.O.), Coimbatore-641 008, Tamil Nadu and which is assigned the approval mark IND/09/08/257;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Conversion Kit Type) with a maximum capacity of 40tonne and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.

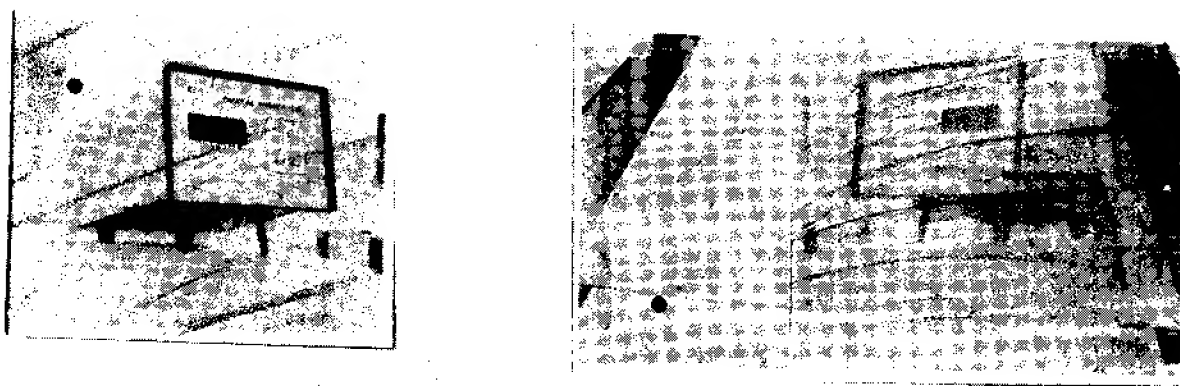


Fig. 2—Sealing arrangement

For sealing holes are made in the indicator, and a sealing wire is fastened through these holes for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (40)/2008]

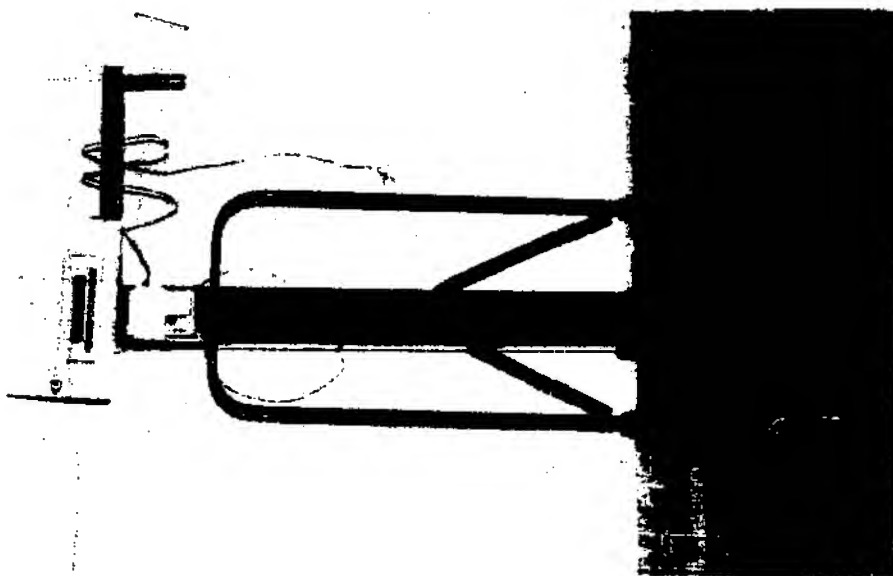
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 336.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जिओ इक्विपेंट प्रा.लि., # 15, गनानापुरम कुनियामुथुर(पी.ओ.) कोयम्बतूर-641008 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “जी पी सी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म कन्वर्सन किट प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम “जीईओ” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/258 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म कन्वर्सन किट प्रकार) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। इसका सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

सीलिंग के लिए इंडीकेटर में छेद किए जाते हैं तथा सत्यापन स्टाम्प और सील की प्राप्ति हेतु इन छेदों के माध्यम से सीलिंग वायर कसा जाता है। सील को तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के ‘ई’ मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$; के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(40)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 336.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform conversion kit type) with digital indication of medium accuracy (Accuracy class-III) of series "GPC" and with brand name "GEO" (hereinafter referred to as the said model), manufactured by M/s. Geo Equipments Private Limited, # 15, Gnanapuram, Kuniyamuthur (P.O.), Coimbatore-641008, Tamil Nadu and which is assigned the approval mark IND/09/08/258;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform conversion kit type) with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

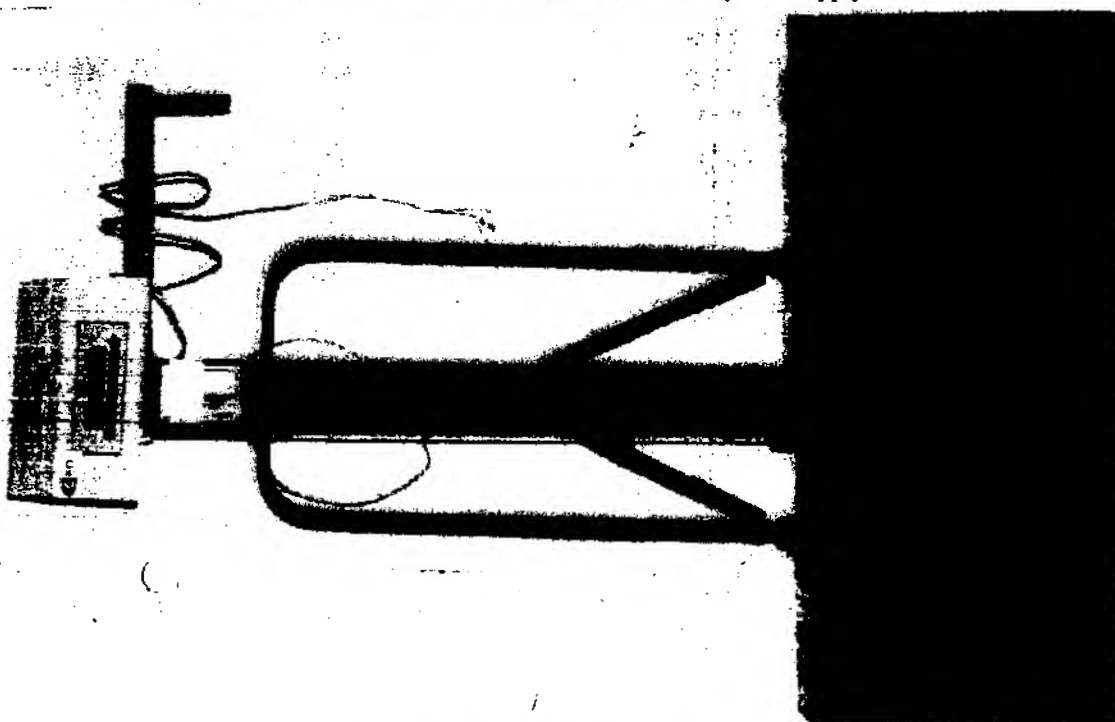


Figure 2. Sealing provision of the indicator of model.

For sealing holes are made in the indicator, and a sealing wire is fastened through these holes for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (40)/2008]

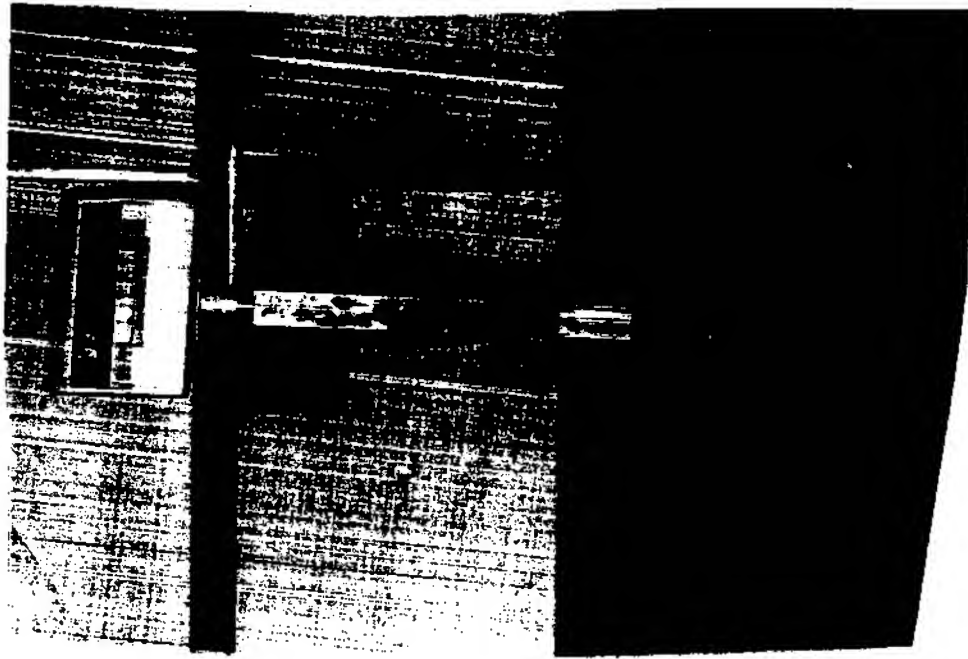
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 337.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैक्सिम Maxim Infosys Private Limited, SCO 341-342, Sector-34-A, Chandigarh, UT द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "MP" शृंखला के अस्वचालित, अंकक सूचक सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम "MAXIM" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन बिह आई एन डी/09/08/186 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि. ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश ड्रासर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

इंडीकेटर के पीछे की ओर अंशांकन स्विच को कवर करने के लिए एक प्लेट प्रदान की जाती है। पेंच, जो सेक्टर प्लेट और इंडीकेटर के आधार शीर्ष सहित को टाइट करता है, उस पर पेंच शीर्ष पर छेद प्रदान किए जाते हैं। इन छेदों के जरिये एक सील करने की तार डाली जाती है और उसे सील लगाकर ताला बंद किया जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(88)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 337.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "MP" and with brand name "MAXIM" (hereinafter referred to as the said model), manufactured by M/s. Maxim Infosys Private Limited, SCO 341-342, Sector-34-A, Chandigarh, UT and which is assigned the approval mark IND/09/08/186;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

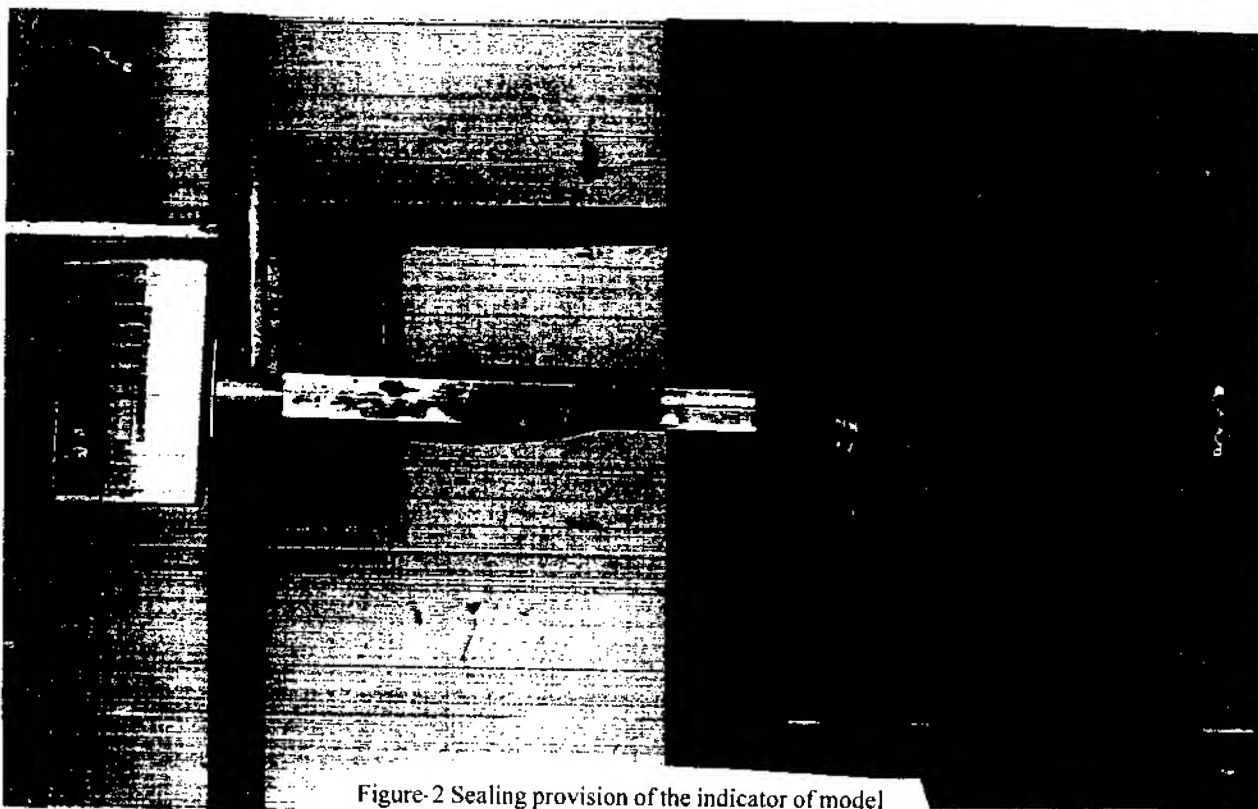


Figure-2 Sealing provision of the indicator of model

By the rear side of the indicator a plate is provided to cover the calibration switch. The screws which tighten the sector plate and base of the indicator with the top are provided with the holes on their screw heads. Through these holes a sealing wire is passed which can be further locked with seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (88)/2008]

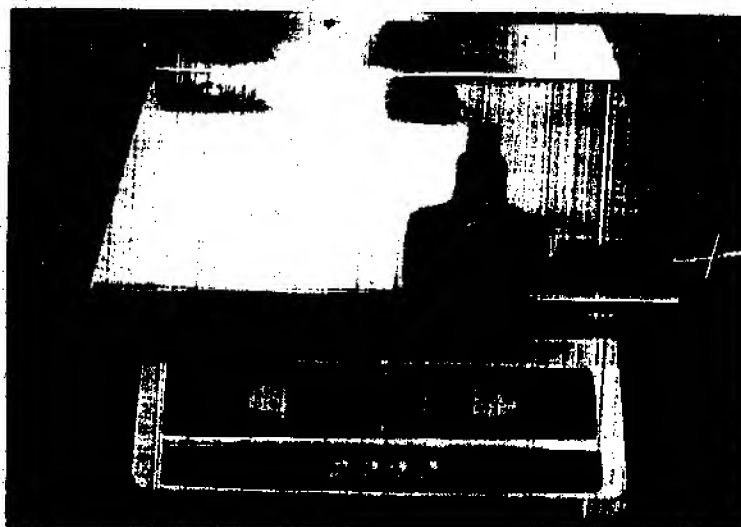
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 338.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैक्सिम Maxim Infosys Private Limited, SCO 341-342, Sector-34-A, Chandigarh, UT द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "MT" शृंखला के अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम "MAXIM" है (जिसे इसमें इसको पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/185 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स, और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम।

मशीन को सीलबंद करने के लिए इसके ढांचे में शीर्ष और आधार कवर पर तिरछे सामने दो छेद किए जाते हैं। इन तिरछे सामने छेदों को जरिये सील करने की तार डाली जाती है जिसे ताला बंद और सील किया जा सकता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(88)/2008]

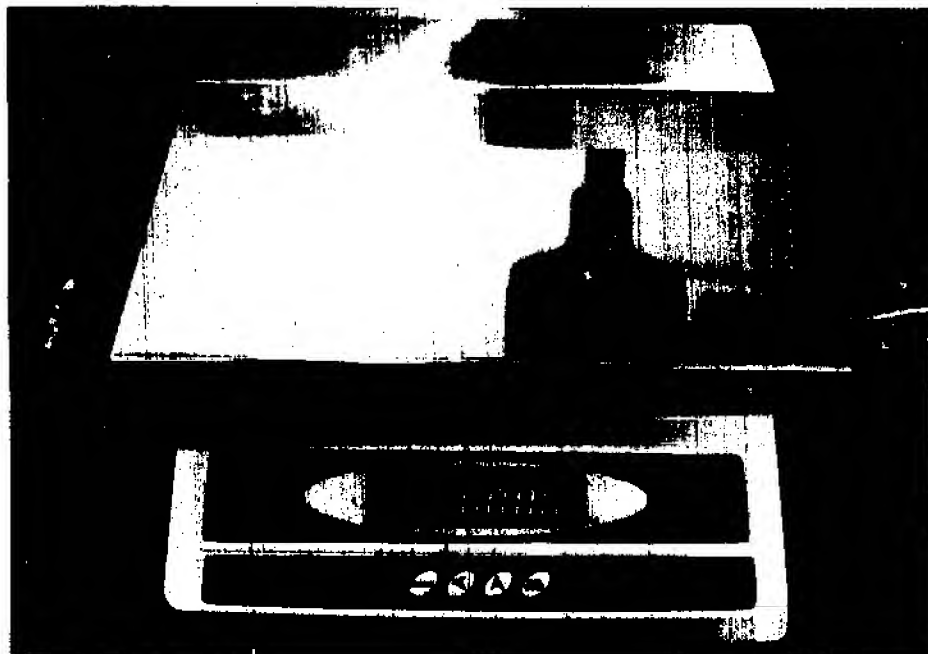
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 338.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "MT" and with brand name "MAXIM" (hereinafter referred to as the said model), manufactured by M/s. Maxim Infosys Private Limited, SCO 341-342, Sector-34-A, Chandigarh, UT and which is assigned the approval mark IND/09/08/185;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



2—Schematic diagram of the model.

For sealing two holes are made in the diagonally opposite sides in the body of the machine both at the top and base cover. Sealing wire is passed through these diagonally opposite holes which are further locked and seal can be affixed on the lock. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50 mg. and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (88)/2008]

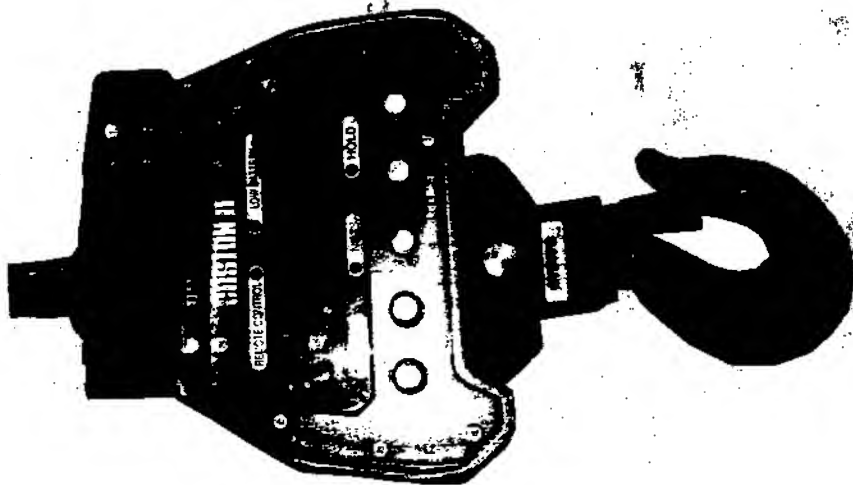
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 339.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कास वेइंग इंडिया प्रा. लि., नं. 568, उद्योग विहार, फेज-V, गुडगांव-122 016, हरियाणा द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "CASTON" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (क्रेन टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "CAS" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/315 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल विकृत गेज प्रकार का भार सैल आधारित अस्वचालित (क्रेन प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 3000 कि.ग्रा. और न्यूनतम क्षमता 20 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्रा. है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

सीलिंग के लिए, इंडीकेटर के पिछली तरफ दो छेद किए गए हैं और इन छेदों के माध्यम से सील तार निकाली गई है जिसे लीड सील से सील किया गया है। सील तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल के सीलिंग प्रावधान का विशिष्ट स्कीम डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 20 टन तक की अधिकतम क्षमता में उसी विनिर्माता द्वारा विनिर्मित किया गया है।

[फा. सं. डब्ल्यू एम-21(140)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 339.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Crane type) with digital indication and of accuracy class-III, series "CASTON" and with trade name "CAS" (hereinafter referred to as the said model), manufactured by M/s. CAS Weighing India Pvt. Ltd., 568, Udyog Vihar, Phase-V, Gurgaon-122 016 and which is assigned the approval mark IND/09/08/315;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Crane type) with a maximum capacity of 3000 kg. and minimum capacity of 20 kg. The verification scale interval (e) is 1 kg. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on single phase 230 Volts and 50 Hertz alternative current power supply.

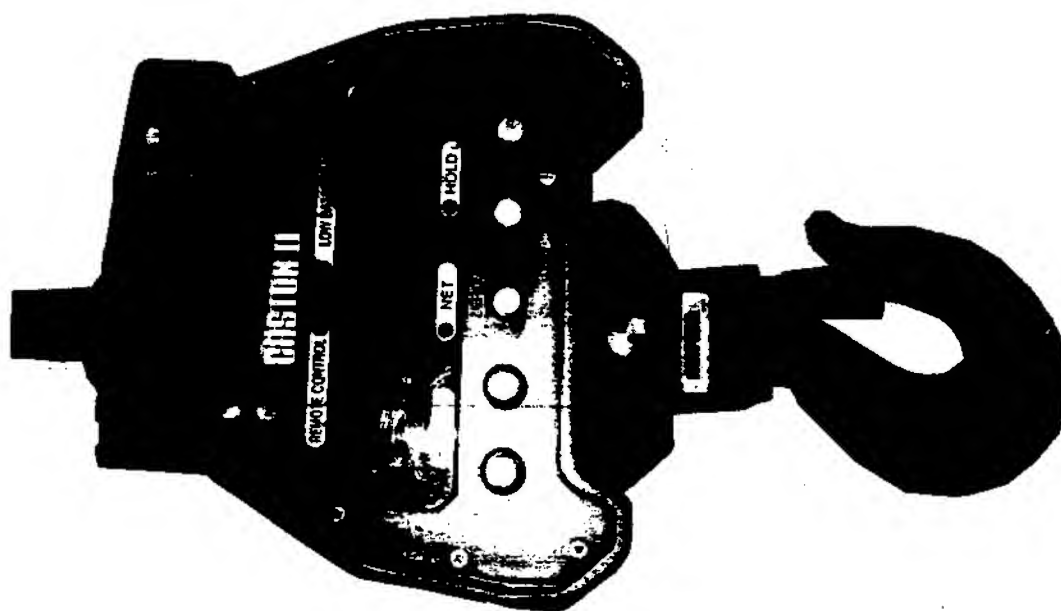


Figure-2

For sealing, at the back side of the indicator 2 holes are made and a seal wire is passed through these holes, which is sealed by the load seal. The indicator cannot be opened without tampering the seal. A typical schematic diagram of the sealing provision is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 20 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (140)/2008]

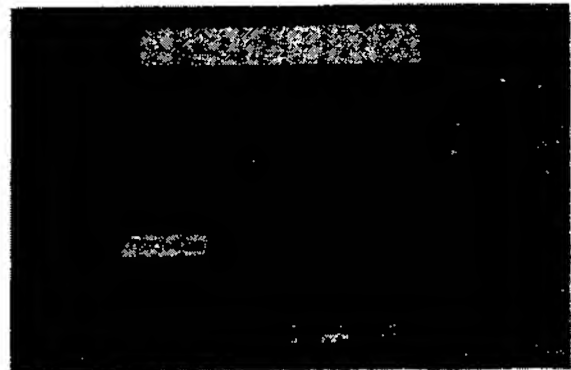
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 340.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ग्रीव्स कॉटन लिमिटेड, हैवी इंजीनियरिंग यूनिट, डी-18, सिपकोट इंडस्ट्रियल कॉम्प्लेक्स, गुम्मीडीपून्डी-601 201 द्वारा विनिर्मित यथार्थता वर्ग 1 वाले "जीपीएम-500" शृंखला के डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) अंकक सूचक सहित, के मॉडल का, जिसके ब्राण्ड का नाम "ग्रीव्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/306 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) है। इसकी अधिकतम क्षमता 1250 कि.ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है और सत्यापन मापमान अंतराल (ई) 0.5 कि.ग्रा. है। उक्त मशीन को आर एम सी सीमेंट बेचिंग प्लांट आदि में विभिन्न इंग्रिडेंट्स को तोलने और भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

सीलिंग का तरीका और स्थान : इंडिकेटर के पीछे की ओर पीछे की प्लेट काटकर दो छेद एक तल पर और दूसरा शीर्ष पर तिरछा किए जाते हैं और सत्यापन स्टाम्प और सील प्राप्त करने के लिए लीडदार तार से बांधा जाता है। इंडिकेटर की सील को तोड़ें बिना खोला नहीं जा सकता।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 200 कि.ग्रा. से 20,000 कि.ग्रा. तक रेंज की क्षमता वाले हैं।

[फा. सं. डब्ल्यू.एम-21(141)/2008]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 340.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with digital indication and of Accuracy class-I, series "GPM-500-" and with brand name "GREAVES" (hereinafter referred to as the said model), manufactured by M/s. Greaves Cotton Limited., Heavy Engineering Unit, D-18, Sipcot Industrial Complex, Gunmidipoondi-601 201 and which is assigned the approval mark IND/09/08/306 ;

The said model is a strain gauge type load cell based Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 1250 kg and minimum capacity of 200kg. The totalizing scale interval (d) is 0.5kg. The machine is designed for weighing and filling the various ingredient used in RMC cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on single phase AC 230 V/3KVA alternative current power supply.

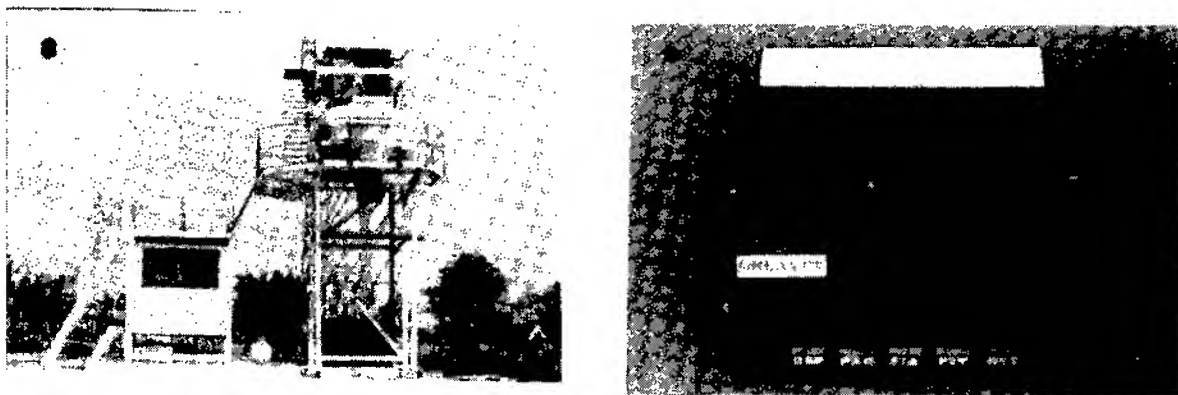


Figure-2

Manner & Place of Sealing : On the rear side of the indicator 2 holes are made one at the bottom and other at the top diagonally, by cutting the outer cover and rear plate and fastened by a leaded wire for receiving the verification stamp and seal. The indicator cannot be opened without tampering the seal.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacity in the range of 200 kg. to 20000 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (141)/2008]

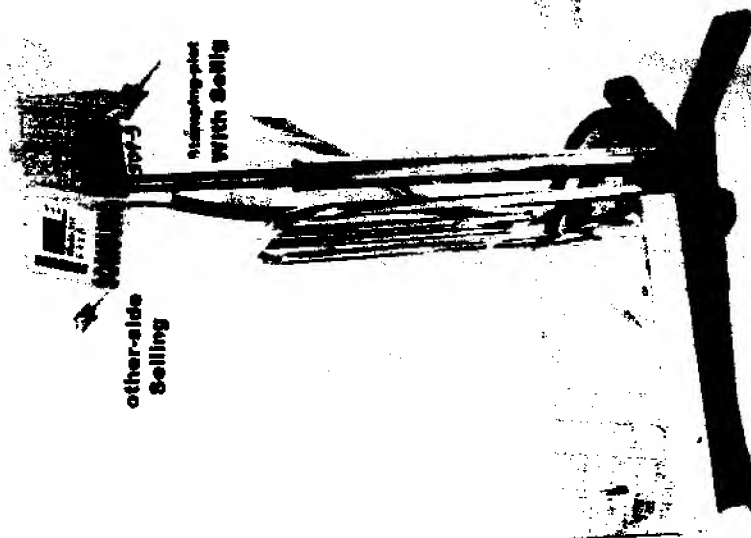
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.अ. 341.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सम्प्रधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स सोमसंग डिजीटल स्केल, 3, कृष्ण प्लॉट, देवस्थ गेट, सावरकुण्डला-364515, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एस ओ पी” शृंखला के अंकक सूचन, स्थिर, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम “सोमसंग” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/573 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का पार सील आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 500 कि. ग्रा. और न्यूनतम क्षमता 1 कि. ग्रा. है। स्थापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

तोलन उपकरण के इंडिकेटर को दो तरफ से सीलबंद किया जाता है। पहली सीलिंग में गुंथित इस्पात तार को स्ट्याम्पिंग प्लेट, केबिनेट ढांचे के छेदों के जरिए तथा बाद में पिछली साइड प्लेट के जरिए तार को डाला जाता है तथा उसके बाद सीलबंद किया जाता है। दूसरी साइड में, गुंथित तार को केबिनेट ढांचे और पिछली साइड प्लेट के जरिए डाला जाता है और बाद में सीलबंद किया जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में स्थापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(155)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 341.—Whereas, the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "SOP" and with brand name "SOMSUNG" (hereinafter referred to as the said model) manufactured by M/s. Somsung Digital Scale, 3, Krishan Plot, Devla Gate, Savarkundala-364515, Gujarat and which is assigned the approval mark IND/09/08/573;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg and minimum capacity of 1 kg. The verification scale interval (e) is 50 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

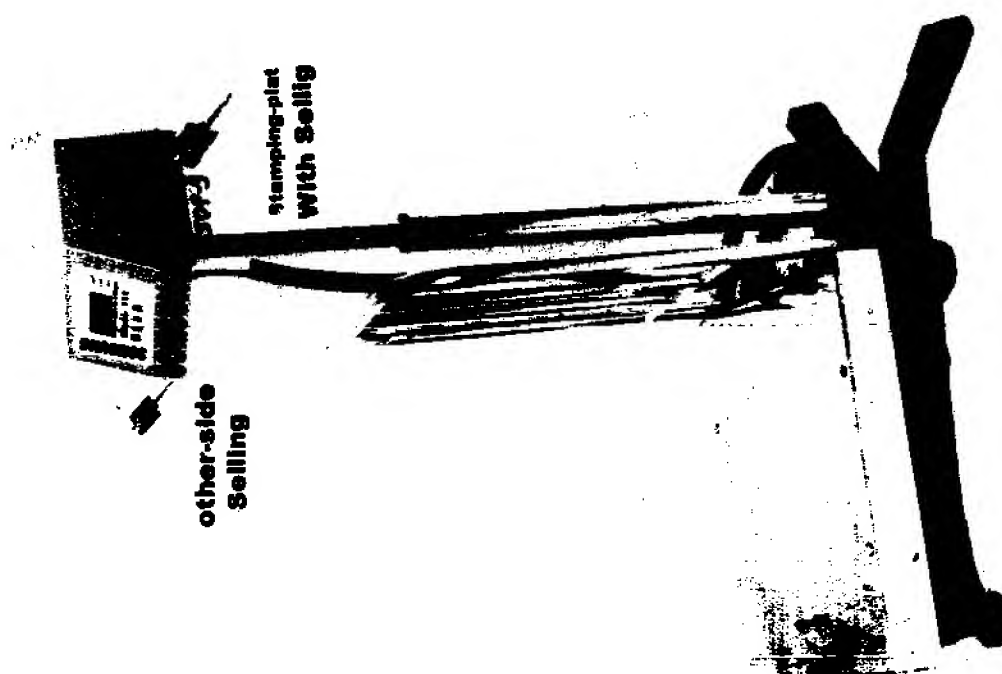


Figure-2 Sealing provision of the indicator of model

Sealing is done at the two sides of the indicator of the weighing instrument. In the first sealing, twisted steel wire is passed through holes of the stamping plate, cabinet body and lastly through backside plate and then sealed. In the second side, twisted wire is passed through cabinet body and backside plate and then sealed. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^4 , 2×10^4 or 5×10^4 , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (155)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 7 जनवरी, 2009

का.आ. 342.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 1090 : 2002 संपीड़ित हाईड्रोजन-विशिष्ट (तीसरा पुनरीक्षण)	संशोधन सं. 1, दिसम्बर, 2008	31 दिसम्बर, 2008
2.	आई एस 1747 : 1972 नाइट्रोजन के लिए विशिष्ट (प्रथम पुनरीक्षण)	संशोधन सं. 2, दिसम्बर, 2008	31 दिसम्बर, 2008
3.	आई एस 5760 : 1998 आर्गन, संपीड़ित एवं तरल-विशिष्ट (दूसरा पुनरीक्षण)	संशोधन सं. 1, दिसम्बर, 2008	31 दिसम्बर, 2008
4.	आई एस 15583 : 2005 संपीड़ित हीलियम गैस-विशिष्ट	संशोधन सं. 1, दिसम्बर, 2008	31 दिसम्बर, 2008

इन मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, श्रेणीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 06/आई एस 1090, 1747, 5760, 15583]

ई. देवेन्द्र, वैज्ञानिक-एफ (रसायन)

BUREAU OF INDIAN STANDARDS

New Delhi, the 7th January, 2009

S.O. 342.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 1090 : 2002 Compressed Hydrogen-Specification (Third Revision)	Amendment No. 1, December, 2008	31 December, 2008
2.	IS 1747 : 1972 Specification for Nitrogen (First Revision)	Amendment No. 2, December, 2008	31 December, 2008
3.	IS 5760 : 1998 Argon, Compressed and Liquid-Specification (Second Revision)	Amendment No. 1, December, 2008	31 December, 2008
4.	IS 15583 : 2005 Compressed Helium Gas-Specification	Amendment No. 1, December, 2008	31 December, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CHD 06/IS 1090, 1747, 5760, 15583]

E. DEVENDAR, Scientist-F (Chemical)

नई दिल्ली, 13 जनवरी, 2009

का.आ. 343.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15810 : 2008 लिथियम पैन्टबोरेट-विशिष्ट	—	31 अक्टूबर, 2008

इस भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, श्रेणीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 30/आई एस 15810]

ई. देवेन्द्र, वैज्ञानिक-एफ (रसायन)

New Delhi, the 13th January, 2009

S.O. 343.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15810 : 2008 Lithium Pentaborate-Specification	—	31 October, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CHD 30/IS 15810]

E. DEVENDAR, Scientist-F (Chemical)

नई दिल्ली, 13 जनवरी, 2009

का.आ. 344.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 8347 : 2008 श्वसन तंत्र संरक्षी युक्तियों-वर्गीकरण, नामावली और घटकों की परिभाषाएं (पहला पुनरीक्षण)	—	30 सितम्बर, 2008

(1)	(2)	(3)	(4)
2.	आई एस 15809 : 2008 उच्च दृश्यता के चेतावनी वस्त्र-विशिष्ट		31 अक्टूबर, 2008

इस भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 8/आई एस 8347 एवं 15809]

ई. देवेन्द्र, वैज्ञानिक 'एफ' (रसायन)

New Delhi, the 13th January, 2009

S.O. 344.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standard Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 8347 : 2008 Respiratory Protective Devices-Definitions, Classification and Nomenclature of Components (First Revision)	—	30 September, 2008
2.	IS 15809 : 2008 High Visibility Warning Clothes-Specification	—	31 October, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CHD 8/IS 8347 and 15809]

E. DEVENDAR, Scientist 'F' (Chemical)

नई दिल्ली, 13 जनवरी, 2009

का.आ. 345.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसारण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15073 (भाग 2) : 2008 विद्युत डेटोनेटर्स की पैकिंग भाग 2 नालीदार फाइबरबोर्ड केस	—	31 अक्टूबर, 2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 26/आई एस 15073 (भाग 2)]

ई. देवेन्द्र, वैज्ञानिक 'एफ' (रसायन)

New Delhi, the 13th January, 2009

S.O. 345.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standard Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15073 (Part 2) : 2008 Packaging of Electric Detonator Part 2 Corrugated Fibreboard Cases	—	31 October, 2008

Copy of this Standards is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. : CHD 26/IS 15073 (Part 2)]

E. DEVENDAR, Scientist 'F' (Chemical)

नई दिल्ली, 13 जनवरी, 2009

का.आ. 346.—भारतीय मानक ब्यूरो नियम 1987 के नियम, 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 1381 (भाग 2) : 2008/ आईएसओ 4797 : 2004 प्रयोगशाला हेतु ग्लासवेयर-शक्वाकार घिसे जोड़ों वाले क्वथन प्लास्क (द्वितीय पुनरीक्षण)	—	30 सितम्बर, 2008
2.	आई एस/आईएसओ 8655 (भाग 7) : 2005 पिस्टन चालित आयतनी के उपस्कर भाग 7 उपस्कर कार्य-कारिते के मूल्यांकन की अभ्यात्मक पद्धतियां	—	30 सितम्बर, 2008

इन भारतीय मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, श्रेणीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं ।

[संदर्भ : सीएचडी 10/टी-1381 (भाग 2)]

ई. देवेन्द्र, वैज्ञानिक 'एफ' (रसायन)

New Delhi, the 13th January, 2009

S.O. 346.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated below :

SCHEDULE

Sl. No.	No. and title of the Indian Standard Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 1381 (Part 2) : 2008/ISO 4797 : 2004 Laboratory Glassware—Boiling flasks with conical ground joints (Second Revision)	—	30 September, 2008
2.	IS/ISO 8655-7 : 2005 Piston operated volumetric apparatus Part 7 : Non-Gravimetric methods for the assessment of equipment performance	—	30 September, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref.: CHD 10/T-1381 (Part 2)]

E. DEVENDAR, Scientist 'F' (Chemical)

नई दिल्ली, 21 जनवरी, 2009

का.आ. 347.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक (को) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 285 : 1992 कपड़े धोने का साबुन-विशिष्ट (तीसरा पुनरीक्षण)	संशोधन संख्या 4, सितम्बर 2008	31 जनवरी, 2009
2.	आई एस 1061 : 1997 फिनोलिक टाईप रोगाणु-नाशी प्रवाह- विशिष्ट (चौथा पुनरीक्षण)	संशोधन संख्या 3, सितम्बर 2008	15 नवम्बर, 2008
3.	आई एस 2887 : 1993 कपड़े धोने का साबुन/चूर्णपलेक्स- विशिष्ट (दूसरा पुनरीक्षण)	संशोधन संख्या 4, सितम्बर 2008	30 सितम्बर, 2008
4.	आई एस 2888 : 2004 प्रसाधन साबुन-विशिष्ट (तीसरा पुनरीक्षण)	संशोधन संख्या 2, सितम्बर 2008	15 नवम्बर, 2008
5.	आई एस 4955 : 2001 घरेलू धुलाई के लिये अपमार्जक पाउडर- विशिष्ट (चौथा पुनरीक्षण)	संशोधन संख्या 2, सितम्बर 2008	15 जनवरी, 2009

(1)	(2)	(3)	(4)
6.	आई एस 8180 : 1992 घरेलू धुलाई के लिए अपमार्जक बट्टियाँ- विशिष्ट (दूसरा पुनरीक्षण)	संशोधन संख्या 5, सितम्बर 2008	30 सितम्बर, 2008
7.	आई एस 9458 : 1994 ऊनी और रेशमी कपड़ों को धुलाई के लिये संश्लिष्ट अपमार्जक-विशिष्ट (पहला पुनरीक्षण)	संशोधन संख्या 3, सितम्बर 2008	30 सितम्बर, 2008
8.	आई एस 10523 : 1983 शिशु प्रसाधन साबुन की विशिष्ट	संशोधन संख्या 5, सितम्बर 2008	30 सितम्बर, 2008
9.	आई एस 11303 : 1985 पारदर्शी प्रसाधन साबुन की विशिष्ट	संशोधन संख्या 4, सितम्बर 2008	30 सितम्बर, 2008
10.	आई एस 11479 (भाग 1) : 2001 जीवाणुरोधी प्रसाधन साबुन विशिष्ट भाग 1 ठोस बट्टी (पहला पुनरीक्षण)	संशोधन संख्या 1, सितम्बर 2008	30 सितम्बर, 2008
11.	आई एस 14364 : 1996 पृष्ठीय मार्जक द्रव पर आधारित चतुष्क अमोनियम मिश्रण-विशिष्ट	संशोधन संख्या 3, सितम्बर 2008	30 सितम्बर, 2008
12.	आई एस 15072 : 2002 प्रसाधन सामग्री, अप-मार्जक द्रव्य और अन्य औद्योगिक प्रयोजन के लिये सोडियम अल्फा-ओलिफिन सल्फोनेट-विशिष्ट	संशोधन संख्या 2, सितम्बर 2008	30 सितम्बर, 2008

इन मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, श्रेणीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 25/टी-285]

ई. देवेन्द्र, वैज्ञानिक 'एफ' (रसायन)

New Delhi, the 21st January, 2009

S.O. 347.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and title of the Indian Standards	No. and year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 285 : 1992 Laundry soaps—Specification (Third Revision)	Amendment No. 4, September, 2008	31 January, 2009
2.	IS 1061 : 1997 Disinfectant fluids, Phenolic type—Specification (Fourth Revision)	Amendment No. 3, September, 2008	15 November, 2008
3.	IS 2887 : 1993 Laundry soap powders/flakes —Specification (Second Revision)	Amendment No. 4, September, 2008	30 September, 2008
4.	IS 2888 : 2004 Toilet soap—Specification (Third Revision)	Amendment No. 2, September, 2008	15 November, 2008
5.	IS 4955 : 2001 Household laundry detergent powders—Specification (Fourth Revision)	Amendment No. 2, September, 2008	15 January, 2009

(1)	(2)	(3)	(4)
6.	IS 8180 : 1992 Household laundry detergent bars—Specification (Second Revision)	Amendment No. 5, September, 2008	30 September, 2008
7.	IS 9458 : 1994 Synthetic detergents for washing woollen and silk fabrics—Specification (First Revision)	Amendment No. 3, September, 2008	30 September, 2008
8.	IS 10523 : 1983 Specification for baby toilet soap	Amendment No. 5, September, 2008	30 September, 2008
9.	IS 11303 : 1985 Specification for transparent toilet soap	Amendment No. 4, September, 2008	30 September, 2008
10.	IS 11479 : (Part 1) : 2001 Antibacterial toilet soap—Specification Part 1 Solid cake (First Revision)	Amendment No. 1, September, 2008	30 September, 2008
11.	IS 14364 : 1996 Quaternary ammonium compound based surface cleaner, liquid—Specification	Amendment No. 3, September, 2008	30 September, 2008
12.	IS 15072 : 2002 Sodium alpha olefin sulphonate for cosmetic, detergent and other industrial use—Specification	Amendment No. 2, September, 2008	30 September, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CHD 25/T-285]

E. DEVENDAR, Scientist-F (Chemical)

नई दिल्ली, 21 जनवरी, 2009

क्र.आ. 348.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 1774 : 1986 स्थायी तथा अर्धस्थायी रिकार्डों के लिए पेपर की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 3, सितम्बर, 2008	30 सितम्बर, 2008
2.	आई एस 1775 : 1981 संवेदी कागज के लिए आधार कागज की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 3, सितम्बर, 2008	30 सितम्बर, 2008
3.	आई एस 2483 : 1986 टिकट बोर्ड की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 5, सितम्बर, 2008	31 जनवरी, 2009
4.	आई एस 2991 : 1988 मोमी कागज के लिए आधार कागज की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 2, सितम्बर, 2008	30 सितम्बर, 2008

(1)	(2)	(3)	(4)
5.	आई एस 3064 : 1986 इस्त निर्मित डाइंग पेपर की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 2, सितम्बर, 2008	30 सितम्बर, 2008
6.	आई एस 3302 : 1986 स्टैसिल के लिए बैकिंग शीट की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 3, सितम्बर, 2008	30 सितम्बर, 2008
7.	आई एस 3673 : 1986 क्षार प्रतिरोधी कागज की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 3, सितम्बर, 2008	30 सितम्बर, 2008
8.	आई एस 4658 : 1988 आवरित कागज और बोर्ड की विशिष्टि (अर्ट एवं क्रोम)(प्रथम पुनरीक्षण)	संशोधन संख्या 3, सितम्बर, 2008	30 सितम्बर, 2008
9.	आई एस 4664 : 1986 लुगदी बोर्ड की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 3, सितम्बर, 2008	15 जनवरी, 2009
10.	आई एस 5285 : 1998 कागज एवं बोर्ड के रेशे विश्लेषण-परीक्षण पद्धतियाँ (पहला पुनरीक्षण)	संशोधन संख्या 3, सितम्बर, 2008	30 सितम्बर, 2008
11.	आई एस 8431 : 1986 ट्रेसिंग कागज की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 2, सितम्बर, 2008	30 सितम्बर, 2008
12.	आई एस 8460 : 1977 रैपिंग टिशू कागज की विशिष्टि	संशोधन संख्या 3, सितम्बर, 2008	30 सितम्बर, 2008
13.	आई एस 9032 : 1978 डाइजो सुग्राही कागज की विशिष्टि	संशोधन संख्या 2, सितम्बर 2008	30 सितम्बर, 2008
14.	आई एस 9033 : 1978 पुनर्वत्पादक ट्रेसिंग कागज की विशिष्टि	संशोधन संख्या 2, सितम्बर 2008	30 सितम्बर, 2008
15.	आई एस 10405 : 1982 ब्लैक सेन्ट्रड बोर्ड की विशिष्टि	संशोधन संख्या 3, सितम्बर 2008	30 सितम्बर, 2008
16.	आई एस 11087 : 1986 चुम्बकीय स्याही के अक्षर पहचान चैक प्रिंटिंग के लिए पेपर की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 4, सितम्बर 2008	31 जनवरी, 2009
17.	आई एस 11687 : 1986 ट्रेसिंग कागज के लिए आधार पेपर की विशिष्टि	संशोधन संख्या 2, सितम्बर 2008	30 सितम्बर, 2008
18.	आई एस 12765 : 1989 मुद्रण कागज, मानचित्र-विशिष्टि	संशोधन संख्या 4, सितम्बर 2008	30 सितम्बर, 2008

(1)	(2)	(3)	(4)
19.	आई एस 12808 : 1989 एक बार प्रयुक्त कार्बन कागज़, के लिए आधार कागज़-विशिष्ट	संशोधन संख्या 2, अगस्त 2008	31 अगस्त, 2008

इन मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, महादुर साह जकर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, जोधपुर, गुवाहाटी, हैदराबाद, जबलपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तपुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 15/टी-1774]

ई. देवेन्द्र, वैज्ञानिक एक (रसायन)

New Delhi, the 21st January, 2009

S.O. 348.—In pursuance of clause (b) of sub-rule (1) of Rule (7) of Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :—

SCHEDULE

Sl. No.	No. and title of the Indian Standards	No. and year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 1774 : 1986 Specification for paper for permanent and semi-permanent records (First Revision)	Amendment No. 3, September, 2008	30 September, 2008
2.	IS 1775 : 1981 Specification for base paper for sensitized paper (First Revision)	Amendment No. 3, September, 2008	30 September, 2008
3.	IS 2483 : 1986 Specification for ticket board (First Revision)	Amendment No. 5, September, 2008	31 January, 2009
4.	IS 2991 : 1988 Specification for base paper for waxed paper (First Revision)	Amendment No. 2, September, 2008	30 September, 2008
5.	IS 3064 : 1986 Specification for hand made drawing paper (First Revision)	Amendment No. 2, September, 2008	30 September, 2008
6.	IS 3302 : 1986 Specification for backing sheet for stencil (First Revision)	Amendment No. 3, September, 2008	30 September, 2008
7.	IS 3673 : 1986 Specification for alkali resistant paper (First Revision)	Amendment No. 3, September, 2008	30 September, 2008
8.	IS 4658 : 1988 Specification for coated paper and board (Art and Chromo) (First Revision)	Amendment No. 3, September, 2008	30 September, 2008
9.	IS 4664 : 1986 Specification for pulp board (First Revision)	Amendment No. 3, September, 2008	15 January, 2009
10.	IS 5285 : 1998 Fibre analysis of paper and board—Methods of test (First Revision)	Amendment No. 3, September, 2008	30 September, 2008
11.	IS 8431 : 1986 Specification for tracing paper (First Revision)	Amendment No. 2, September, 2008	30 September, 2008

(1)	(2)	(3)	(4)
12.	IS 8460 : 1977 Specification for wrapping tissue paper	Amendment No. 3, September, 2008	30 September, 2008
13.	IS 9032 : 1978 Specification for diazo sensitized paper	Amendment No. 2, September, 2008	30 September, 2008
14.	IS 9033 : 1978 Specification for reproduction tracing paper	Amendment No. 2, September, 2008	30 September, 2008
15.	IS 10405 : 1982 Specification for black centred board	Amendment No. 3, September, 2008	30 September, 2008
16.	IS 11087 : 1986 Specification for paper for magnetic ink character recognition cheque printing (First Revision)	Amendment No. 4, September, 2008	31 January, 2008
17.	IS 11687 : 1986 Specification for base paper for tracing paper	Amendment No. 2, September, 2008	30 September, 2008
18.	IS 12765 : 1989 Printing paper, map—Specification	Amendment No. 4, September, 2008	30 September, 2008
19.	IS 12808 : 1989 Base paper for one-time carbon paper—Specification	Amendment No. 2, August, 2008	31 August, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CHD 15/T-1774]

E. DEVENDAR, Scientist 'F' (Chemical)

नई दिल्ली, 29 जनवरी, 2009

क्र.आ. 349.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वे स्थापित हो गया है :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 60534-2-3:1997 औद्योगिक प्रक्रम नियंत्रण वाल्व भाग 2 प्रवाह क्षमता अनुभाग 3 परीक्षण विधियाँ	—	30 अक्टूबर, 2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, श्रेणीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 18/टी-102]

प्रकाश बचानी, वैज्ञानिक ई एवं प्रमुख (विद्युत तकनीकी विभाग)

New Delhi, the 29th January, 2009

S.O. 349.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS/IEC 60534-2-3:1997 Industrial—Process Control Values Part 2 Flow Capacity Section 3 Test Procedures	—	30 October, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: ET 18/T-102]

PRAKASH BACHANI, Scientist-E & Head (Electro technical Department)

नई दिल्ली, 29 जनवरी, 2009

का.आ. 350.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसार में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वे स्थापित हो गया है :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 61511-3:2003 कार्यात्मक सुरक्षा प्रक्रम उद्योग क्षेत्र के लिए सुरक्षा मापयंत्रण तंत्र भाग 3 अपेक्षित सुरक्षा संघटन स्तर ज्ञात करने के दिशानिर्देश	—	30 अक्टूबर, 2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 18/टी-117]

प्रकाश बचानी, वैज्ञानिक ई एवं प्रमुख (विद्युत तकनीकी वि.)

New Delhi, the 29th January, 2009

S.O. 350.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS/IEC 61511-3:2003 Functional Safety—Safety Instrumented Systems for the Process Industry Sector Part 3 Guidance for the Determination of the Required Safety Integrity Levels	—	30 October, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: ET 18/T-117]

PRAKASH BACHANI, Scientist E & Head (Electrotechnical Department)

नई दिल्ली, 29 जनवरी, 2009

का.आ. 351.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गये मानक (कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 2556 (भाग 4): 2004	2, दिसम्बर 2008	28 जनवरी, 2009
2.	आई एस 4985:2000	3, जनवरी 2009	28 जनवरी, 2009

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो मानक भवन, 9, बहादुरशाह ज़फर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीईडी/राजपत्र]

ए. के. सैनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 29th January, 2009

S.O. 351.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 2526: (Part 4): 2004	2, December 2008	28 January, 2009

(1)	(2)	(3)	(4)
2.	IS 4985 : 2000	3 January, 2009	28 January, 2009

Copy of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhawan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Sc 'F' & Head (Civil Engg.)

नई दिल्ली, 30 जनवरी, 2009

क्र.आ. 352.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 5497 : 2008 नदी घाटी परियोजनाओं के लिए स्थलाकृतिक सर्वेक्षणों की मार्गदर्शिका (दूसरा पुनरीक्षण)	-	30-11-2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह ज़फर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई, तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तपुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : डब्ल्यू आर डी 5/टी-5]

ए. एम. डेविड, वैज्ञानिक ई, निदेशक (जल संसाधन विभाग)

New Delhi, the 30th January, 2009

S.O. 352.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No., Title and Year of the Indian Standards Established	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 5497 : 2008 Guide to Topographical Surveys for River Valley Projects (Second Revision)	IS 5497 : 2008 Guide to Topographical Surveys for River Valley Projects (First Revision)	30-11-2008

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhawan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref : WRD 5/T-5]

A. M. DAVID, Sc-E, Director (Water Resources Deptt.)

नई दिल्ली, 30 जनवरी, 2009

का.आ. 353.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15832:2008 पर्यावरणीय प्रभाव संबंधी परिभाषिक शब्दावली प्रलेख	-	30-10-2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह ज़फर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई, तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : डब्ल्यू आर डी 24/टी-2]

ए. एम. डेविड, वैज्ञानिक ई, निदेशक (जल संसाधन विभाग)

New Delhi, the 30th January, 2009

S.O. 353.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No., Title and Year of the Indian Standards Established	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 15832 : 2008 Glossary of Technical Terms Related to Environmental Impact	—	31st October, 2008

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhawan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: WRD 24/T-2]

A. M. DAVID, Sc-E, Director (Water Resources Deptt.)

नई दिल्ली, 30 जनवरी, 2009

का.आ. 354.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15822 : 2008 खुले प्रणालों में द्रव प्रवाह का मापन—बर्फाली स्थितियों में निकास के मापन के लिए निकास मापन हेतु उपस्कर	—	30-9-2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : डब्ल्यू आर डी 1/टी-71]

ए. एम. डेविड, वैज्ञानिक 'ई', निदेशक (जल संसाधन विभाग)

New Delhi, the 30th January, 2009

S.O. 354.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No., Title and Year of the Indian Standards Established	No. and Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 15822 : 2008 Measurement of Liquid Flow in Open Channels—Equipment for the Measurement of Discharge under Ice Conditions	—	30-9-2008

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: WRD 1/T-71]

A. M. DAVID, Scientist 'E', Director (Water Resources Deptt.)

नई दिल्ली, 30 जनवरी, 2009

का.आ. 355.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्तित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस/आईसी 60079-20 : 1996 विस्फोटी गैस पर्यावरणों के लिए डिजली के उपकरण—भाग 20 विद्युत उपकरणों से संबंधित ज्वलनशील गैसों और वाष्पन के आँकड़े	—	30 अक्टूबर, 2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी-22/टी-55]

प्रकाश बचानी, वैज्ञानिक 'ई' एवं प्रमुख (विद्युत तकनीकी वि.)

New Delhi, the 30th January, 2009

S.O. 355.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS/IEC 60079-20 : 1996 Explosive Atmospheres: Part 20 Data for Flammable Gases and Vapours Relating to the Use of Electrical Apparatus	—	30 October, 2008

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: ET 22/T-55]

PRAKASH BACHANI, Scientist 'E' & Head (Electrotechnical Department)

नई दिल्ली, 30 जनवरी, 2009

का.आ. 356.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानकों में संशोधन किए गए हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 14588 : 1999	3, दिसम्बर 2008	31 दिसम्बर, 2008

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईसी/एजपत्र]

ए. के. सेनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 30th January, 2009.

S.O. 356.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 14588 : 1999	3 December 2008	31 December, 2008

Copy of these amendments are available for sale with the Bureau of Indian Standards, Mahak Bhawan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 2 फरवरी, 2009

क्र.आ. 357.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्थापित हो गए हैं :

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 4253 (भाग 1) : 2008 कार्क संघटन शीट-विशिष्ट भाग 1 सदी कार्क शीट (दूसरा पुनरीक्षण)	आई एस 4253 (भाग 1) : 1980 कार्क संघटन शीट की विशिष्टि : भाग 1 सदी कार्क शीट (पहला पुनरीक्षण)	30 नवंबर, 2008
2.	आई एस 4253 (भाग 2) : 2008 कार्क संघटन शीट-विशिष्ट : भाग 2 कार्क और रबर (दूसरा पुनरीक्षण)	आई एस 4253 (भाग 2) : 1980 कार्क संघटन शीट की विशिष्टि : भाग 2 कार्क और रबर (पहला पुनरीक्षण)	30 नवंबर, 2008
3.	आई एस/आई एस ओ 8573-1 : 2001 [अधिक्रमित आई एस 14642 (भाग 1) : 1999] संपीडित वायु-भाग 1 : संदूषण और शुद्धता संवर्ग	आई एस 14642 (भाग 1) : 1999/ आई एस ओ 8573-1 सामान्य उपयोग के लिए वायु भाग 1 : संदूषण और गुणवत्ता वर्ग	31 अक्टूबर, 2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शहा जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा राज्या कार्यालयों : अहमदाबाद, बंगलूर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम.ई.डी./जी-2:1]

सी. के. वेदा, वैज्ञानिक 'एफ' एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 2nd February, 2009

S.O. 357.—In pursuance of clause (b) of sub-rule (1) of Rule (7) of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 4253 (Part 1) : 2008 Cork Composition Sheets—Specification : Part 1 Plain Cork Sheets (Second Revision)	IS 4253 (Part 1) : 1980 Specification for Cork Composition Sheets : Part 1 Plain Cork Sheets (First Revision)	30 November, 2008
2.	IS 4253 (Part 2) : 2008 Cork Composition Sheets—Specification : Part 2 Cork and Rubber (Second Revision)	IS 4253 (Part 2) : 1980 Specification for Cork Composition Sheets : Part 2 Cork and Rubber (First Revision)	30 November, 2008
3.	IS/ISO 8573-1 : 2001 [Superseding IS 14642 (Part 1) : 1999] Compressed air Part 1 Contaminants and purity classes	IS : 14642 (Pt-1) : 1999/ ISO 8573-1 : 2001 Compressed air for general use : Part 1 Contaminants and quality classes	31 October, 2008

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MED/G-2:1]

C. K. VEDA, Scientist 'F' & Head (Mechanical Engineering)

नई दिल्ली, 2 फरवरी, 2009.

क्र.आ. 358.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 3017 : 1985	5, दिसम्बर 2008	29 जनवरी, 2009

इस भारतीय संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी-32/टी-21]

प्रकाश बचानी, वैज्ञानिक 'ई' एवं प्रमुख (विद्युत तकनीकी वि.)

New Delhi, the 2nd February, 2009

S.O. 358.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 3017 : 1985 Specification for Thermostats for use with Electric Water Heaters (First Revision)	5 December, 2008	29 January, 2009

Copies of this amendment are available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref:ET 32/T-21]

PRAKASH BACHANI, Scientist 'E' & Head (Electrotechnical Department)

नई दिल्ली, 3 फरवरी, 2009

का.आ. 359.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 1554 (भाग 1) : 1988 की संशोधन संख्या 4	4, दिसम्बर 2008	27-1-2009

इन प्रांतीय संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईडी-09/टी-12]

प्रकाश बचानी, वैज्ञानिक 'ई' एवं प्रमुख (विद्युत तकनीकी वि.)

New Delhi, the 3rd February, 2009

S.O. 359.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 1554 (Part 1) : 1985 Specification for PVC Insulated (Heavy Duty) Electric Cables Part 1 for working voltages up to and including 1100 V (Third Revision)	4, December 2008	27-1-2009

Copy of these amendments are available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also

Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: ET 09/T-12]

PRAKASH BACHANI, Scientist 'E' & Head (Electrotechnical Department)

नई दिल्ली, 3 फरवरी, 2009

का.आ. 360.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न भारतीय मानक में संशोधन किया गया/किए गए हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	भा.मा. 1269 (भाग 1): 1997 की संशोधन संख्या 1 माप विज्ञान—लम्बाई मापन उपकरण भाग 1 : धात्विक तथा कोंच रेशों का बुना हुआ मापन टेप (दूसरा पुनरीक्षण)	1	दिसम्बर 2008
2.	भा.मा. 1269 (भाग 2): 1997 की संशोधन संख्या 1 माप विज्ञान—लम्बाई मापन उपकरण भाग 2 : इस्पात का मापन टेप	1	दिसम्बर 2008

इन भारतीय मानकों के संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : पीजीडी/जी-3.5]

सु. भट्टाचार्य, वैज्ञानिक 'ई' एवं प्रमुख (पीजीडी)

New Delhi, the 3rd February, 2009

S.O. 360.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been amended on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. of Amendments & Date	Date of Established
(1)	(2)	(3)	(4)
1.	Amendment No. 1 to IS 1269 (Part 1) : 1997 Legal metrology—Material measures of length Part 1 : Woven metallic and glass fibre tape measures (Second Revision)	1	December 2008
2.	Amendment No. 1 to IS 1269 (Part 2) : 1997 Legal metrology—Material measures of length Part 2 : Steel tape measures	1	December 2008

Copy of these amendments of Standard is available for sale with the Bureau of Indian Standards, Manak

Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: PGD/G-3.5]

S. BHATTACHARYA, Scientist 'E' & Head (PGD)

नई दिल्ली, 5 फरवरी, 2009

क्र.अ. 361.—भारतीय मानक ब्यूरो नियम (प्रमाणन) विनियम 5 के उप विनियम 6 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को आगे दर्शाई तारीख से लाइसेंस रद्द कर दिया गया है:—

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत प्रक्रम संबंध एवं भारतीय मानक सहित	रद्द की तिथि
(1)	(2)	(3)	(4)	(5)
1.	8419481	मेसर्स आर्यन बेवरेजेस प्रा. लिमिटेड प्लॉट नं 1, सेक्टर 1, इंडस्ट्रियल एरिया, गोविंदपुरा, भोपाल-462023	आईएस 14543 : 2004 पैकेज्ड ड्रिंकिंग वाटर	24-11-2008

[संख्या केन्द्रीय प्रमाणन/13 : 13]
पी. के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 5th February, 2009

S.O. 361.—In pursuance of sub regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given have been cancelled with effect from the date indicated against each :

Sl. No.	Licence No.	Name and address of the licensees	IS No. and title	Cancelled Date
(1)	(2)	(3)	(4)	(5)
1.	8419481	M/s. Aryan Beverages Pvt. Limited, Plot No. 1, Sector 1, Industrial Area, Govinapura, Bhopal-462023	IS 14543 : 2004 Packaged Drinking Water	24-11-2008

[No. CMD/13:13]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 5 फरवरी, 2009

क्र.अ. 362.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम, (5) के उप विनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शाई गई तारीख से रद्द/स्वीकृत कर दिया गया

है:—

क्रम संख्या	लाइसेंस संख्या सीएम/एल	लाइसेंसधारी का नाम व पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द/स्थगित करने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	7743485	विनीत कोटेक्स प्रा. लि., वा. नं. 13, ह.न. 1203 गट संख्या 461, प्लॉट नं. 24, 25, 26, जूना चांदुर रास्ता गुरुकानन नगर इचलकरंजी, तालुका हटकंगले, जिला कोल्हापुर, महाराष्ट्र ।	IS 1144 : 1980 सूती सेल्युलर शर्टिंग	15-12-2008

[संख्या सीएमडी 13 : 13]

पी. के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 5th February, 2009

S.O. 362.—In pursuance of sub-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given below have been cancelled/with effect from the date indicated against each :

Sl. No.	Licence No.	Name and address of the Licensee	Article/Process with relevant Indian Standards covered by the licence cancelled	Date of cancellation
(1)	(2)	(3)	(4)	(5)
1.	7743485	Vineet Cotex Pvt. Ltd., W., No. 13, H. No. 1203 Gat No. 461, Plot No. 24, 25, 26 Juna Chandur Rasta Gurukanan Nagar Ichalkaranji Taluka Hatkanangale District Kolhapur.	IS 1144 : 1980 Cotton cellular shirting	15-12-2008

[No. CMD 13:13]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 4 फरवरी, 2009

का.आ. 363.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किये गये हैं:—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 12776 : 2002 भू-सम्पर्कन के लिए जस्तीकृत लड-विशिष्ट (पहला पुनरीक्षण)	संशोधन नं. 2, अक्टूबर 2008	27 नवंबर, 2008

(1)	(2)	(3)	(4)
2.	आई एस 12933 (भाग 2) : 2003 सौर सपाट पट्टिका संग्राहक-विशिष्ट भाग 2 घटक (दूसरा पुनरीक्षण)	संशोधन नं. 2, दिसम्बर 2008	31 दिसम्बर, 2008

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम.ई.डी./जी-2:1]

सी. के. वेदा, वैज्ञा. एफ एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 4th February, 2009

S.O. 363.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 12776 : 2002 Specification for galvanized strand for earthing (First Revision)	Amendment No. 2 October, 2008	27 November, 2008
2.	IS 12933 (Pt-2) : 2003 Solar flat plate collector-Specification Part 2 Components (Second Revision)	Amendment No. 2 December, 2008	31 December, 2008

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MED/G-2:1]

C. K. VEDA, Sc. F & Head (Mechanical Engineering)

कोयला मंत्रालय

नई दिल्ली, 29 जनवरी, 2009

का.आ. 364.—केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 2094, तारीख 18 जुलाई, 2007 में निम्नलिखित संशोधन करती है, अर्थात्— उक्त अधिसूचना में, अनुसूची के स्थान पर निम्नलिखित अनुसूची रखी जाएगी, अर्थात्:—

अनुसूची

तलईपल्ली खनन ब्लॉक

जिला रायगढ़, छत्तीसगढ़

प्लान नं.-एनटीपीसी/सीएम/एसईसी 4 (1)/तलईपल्ली/06/01 आर1 तारीख 29-03-2006

क्र.सं.	ग्राम का नाम	थाना	जिला	क्षेत्रफल हेक्टेयर में	क्षेत्रफल एकड़ में	टिप्पणी
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	अजीजगढ़	घरघोड़ा	रायगढ़	20.87	51.5489	भाग
2.	छोटीगुड़ा	घरघोड़ा	रायगढ़	319.88	790.1036	भाग

(1)	(2)	(3)	(4)	(5)	(6)	(7)
3.	सालेपली	घरघोडा	रायगढ़	36.93	91.2171	भाग
4.	रायकेरा	घरघोडा	रायगढ़	600.83	1484.0501	भाग
5.	नयारामपुर	घरघोडा	रायगढ़	131.95	325.9165	भाग
6.	बिछीनारा	घरघोडा	रायगढ़	360.22	889.7434	भाग
7.	तलईपल्ली	तनमार	रायगढ़	295.13	728.9711	पूर्ण
8.	कुदुरमहुआ	लेईलुंगा	रायगढ़	121.65	300.4755	भाग
9.	संरक्षित वन	घरघोडा	रायगढ़	207.43	512.3521	भाग
कुल क्षेत्र				2094.89	5174.3783	
				(लगभग)	(लगभग)	

[फा. सं. 43015/6/2006-पीआरआईडब्ल्यू-1 (विस्तर-II)]

एम. शाहबुद्दीन, अवर सचिव

MINISTRY OF COAL

New Delhi, the 29th January, 2009

S.O. 364.—In exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Area (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby makes the following amendments in the notification of the Government of India, Ministry of Coal Number S.O. 2094, dated the 18th July, 2007, namely:—

In the said notification, for the Schedule, the following Schedule shall be substituted namely:—

SCHEDULE

Talaipalli Mining Block
District Raigarh, Chhattisgarh

Plan No.: NTPC/CM/Sec 4(1)/Talaipalli/06/01 R1 dated 29-03-2006

Serial number	Village	Thana	District	Area in hectare	Area in acres	Remarks
1.	Ajijgarh	Gharghoda	Raigarh	20.87	51.5489	Part
2.	Chotigurha	Gharghoda	Raigarh	319.88	790.1036	part
3.	Salehpali	Gharghoda	Raigarh	36.93	91.2171	Part
4.	Raikera	Gharghoda	Raigarh	600.83	1484.0501	Part
5.	Nayarampur	Gharghoda	Raigarh	131.95	325.9165	Part
6.	Bichinara	Gharghoda	Raigarh	360.22	889.7434	Part
7.	Talaipalli	Tanmar	Raigarh	295.13	728.9711	Full
8.	Kudurmahua	Leilunga	Raigarh	121.65	300.4755	Part
9.	Protected forest	Gharghoda	Raigarh	207.43	512.3521	Part
Total Area				2094.89	5174.3783	
				(approximately)	(approximately)	

[F. No. 43015/6/2006/PRIW-I (Vol.II)]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 5 फरवरी, 2009

का.आ. 365.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, भाग II, खंड 3, उप-खंड (ii) में तारीख 25 अगस्त, 2007 में प्रकाशित की गई थी, भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का.आ. 2376 तारीख 21 अगस्त, 2007 द्वारा, जो इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट परिसरों की भूमि में, जिसका माप 656.14 हेक्टेयर (लगभग) या 1621.32 एकड़ (लगभग) है, कोयले का पूर्वखनन करने के अपने आशय की सूचना दी थी;

और, केन्द्रीय सरकार का यह समाधान हो गया है, कि इस अधिसूचना से संलग्न अनुसूची में वर्णित उक्त भूमियों के भाग में कोयला अभिप्राप्य है।

अतः, अब केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 656.14 हेक्टेयर (लगभग) या 1621.32 एकड़ (लगभग) माप की भूमि में सभी अधिकारों का अर्जन करने के अपने आशय की सूचना देती है।

1. इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक संख्या एनटीपीसी/रिवा प्लान/ डीसीएमपी/ क्रम 7(1)/ 2008, तारीख 3-8-2008 का निरीक्षण उप महाप्रबन्धक (सीएम-सिविल), एनटीपीसी लिमिटेड, प्रथम तल, पीडीआईएल बिल्डिंग, सैक्टर-1, नोएडा, उत्तर प्रदेश या अपर महाप्रबन्धक (प्रमारी), तलईपल्ली एवं कुसंगा कोल माईनिंग प्रोबेक्ट, एनटीपीसी लिमिटेड, लक्ष्मी भवन, मेन रोड, बेहरामुल, जिला झारखण्ड, उड़ीसा-768203 या मुख्य महाप्रबन्धक (गवेषण संभाग), सैन्ट्रल भाईन प्लानिंग एण्ड डिजाइन इंस्टीट्यूट, गोंडवाना प्लेस, कान्के रोड, रांची या कोयला निर्यंत्रक, 1, कार्टेसिल हाउस स्ट्रीट, कोलकाता 700001 या जिलाधिकारी, जिला मुन्सरागढ़, उड़ीसा के कार्यालय में किया जा सकेगा;

2. उक्त अधिनियम की धारा 8 के उपबंध की ओर ध्यान आकृष्ट किया जाता है जो उपबंध करता है:-

अर्जन के प्रति आक्षेप:-

8 (1) कोई व्यक्ति, जो किसी भूमि जिसके बाबत में धारा 7 की उप-धारा (1) के अधीन कोई अधिसूचना जारी की गई है, अधिसूचना जारी की जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आक्षेप कर सकेगा।

स्पष्टीकरण:-

(1) इस धारा के अर्थान्तर्गत यह आक्षेप नहीं माना जाएगा कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियताएं करना चाहता है और ऐसी सक्रियताएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) धारा 8 की उप-धारा (1) के अधीन प्रत्येक आक्षेप, सक्षम प्राधिकारी को लिखित रूप में किया जाएगा और सक्षम प्राधिकारी, आक्षेपकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुने जाने का अवसर देगा और ऐसी सभी आक्षेपों को सुनने के पश्चात् और ऐसी अतिरिक्त जाँच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आक्षेपों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजन के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिस्पर्ध में हित का दावा करने का हकदार होता, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।

(4) केन्द्रीय सरकार ने कोयला निर्यंत्रक, 1, कार्टेसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम की धारा 3 के अधीन भारत के राजपत्र भाग-II, खंड 3, उप-खंड (ii) तारीख 9 सितम्बर, 2006 में प्रकाशित अधिसूचना सं. का.आ. 3629, जिसको तत्पश्चात् भारत के राजपत्र भाग II, खंड (3), उप-खंड (ii) में प्रकाशित सं. का.आ. 2307, तारीख 18 अगस्त, 2007 द्वारा संशोधित किया गया था, इस सक्षम प्राधिकारी के रूप में नियुक्त किया गया है।

अनुसूची

दुर्लगा कोयला खनन ब्लॉक

जिला सुन्दरगढ़, डीसी

प्लान नं. एनटीपीसी/रिब. प्लान/डीसीएमपी/प्लान 7(1)/2008 तारीख 3 अगस्त, 2008

सभी अधिकार

(क) राजस्व भूमि

क्र.सं.	ग्राम का नाम	थाना	जिला	पटवारी सार्किल सं.	क्षेत्रफल हेक्टेयर एकड़	टिप्पणी
1.	दुर्लगा	हेमगिर	सुन्दरगढ़	105	97.75 241.54	भाग
2.	मनोहरपुर	हेमगिर	सुन्दरगढ़	106	8.25 20.38	भाग
3.	कथापल्ली	हेमगिर	सुन्दरगढ़	108	48.81 120.61	भाग
4.	बेलडीही	हेमगिर	सुन्दरगढ़	111	267.12 660.05	भाग
5.	कुन्तीझरिया	हेमगिर	सुन्दरगढ़	113	33.22 82.09	भाग
6.	माझापडा	हेमगिर	सुन्दरगढ़	112	97.56 241.07	भाग
कुल क्षेत्र					552.71 1365.74	

(ख) वन भूमि

क्र.सं.	ग्राम का नाम	थाना	जिला	खंड सं.	क्षेत्रफल हेक्टेयर एकड़	टिप्पणी
1.	बेलडीही	हेमगिर	सुन्दरगढ़	15	15.82 39.09	धनु- आर- डीही
2.	कुन्तीझरिया	हेमगिर	सुन्दरगढ़	10/1	87.61 216.49	गिरी पहाड़
कुल क्षेत्र					103.43 255.58	

संक्षेप में

(क) कुल राजस्व भूमि: 552.71 हेक्टेयर (लगभग) = 1365.74 एकड़ (लगभग)

(ख) कुल वन भूमि: 103.43 हेक्टेयर (लगभग) = 255.58 एकड़ (लगभग)

(ग) सकल योग (क+ख): 656.14 हेक्टेयर (लगभग) = 1621.32 एकड़ (लगभग)

आर्जित किये जाने वाले राजस्व प्लॉटों की सूची :

1. दुर्लगा

93 (भाग), 96, 97 (भाग), 98 से 123, 124, 125 (भाग), 126 से 135, 136 (भाग), 138 (भाग), 141 (भाग), 142 से 143, 144 (भाग), 187 (भाग), 188 से 189, 190 (भाग), 191 से 196, 200 (भाग), 201 (भाग), 202 से 204, 205 (भाग), 217 (भाग), 219 (भाग), 220 से 281, 453 (भाग), 454 (भाग), 456 (भाग), 458 (भाग), 459 (भाग), 460 से 464, 465 (भाग), 474 (भाग), 477 (भाग), 478 (भाग), 479 से 502, 503 (भाग), 504 (भाग), 509 (भाग), 510 (भाग), 519 (भाग), 520 (भाग), 521 (भाग), 522 से 669, 670 (भाग), 671 से 684, 685 (भाग), 690 से 833, 834 (भाग), 835 से 846, 848 से 850, 853, 862, से 864, 876 से 883, 885 से 890, 892

2. मनोहरपुर

1078 (भाग), 1079, 1080 (भाग), 1081 (भाग)

3. कथापल्ली

298(भाग), 299(भाग), 300, 301(भाग), 302(भाग), 303 से 304, 305 (भाग), 306 से 326, 327(भाग), 328 से 332, 374 से 381

4. बेलडीही

3(भाग), 4(भाग), 6(भाग), 7(भाग), 50(भाग), 83(भाग), 84(भाग), 85(भाग), 86(भाग), 87(भाग), 88(भाग), 89, 90(भाग), 91(भाग), 92(भाग), 93(भाग), 111, 112(भाग), 113(भाग), 114 से 115, 116(भाग), 118(भाग) 119 से 143, 145 से 151, 153, 155(भाग), 156 से 161, 162(भाग), 163(भाग), 165(भाग), 169(भाग), 170(भाग), 171, 172(भाग), 173 से 185, 187 से 200, 201(भाग), 202 से 233, 235 से 254, 255(भाग), 256 से 295, 298(भाग), 299(भाग), 312, 314 से 326, 333(भाग), 335(भाग), 336, 339(भाग), 340 से 344

5. कुन्तीझरिया

2 से 43, 44(भाग), 45(भाग), 46, 47(भाग), 48(भाग), 49(भाग), 52(भाग), 53, 54(भाग), 62(भाग), 83(भाग), 84(भाग), 85(भाग), 86(भाग), 87(भाग), 88(भाग)

6. माझापाड़ा

5(भाग), 7(भाग), 8 से 14, 15(भाग), 20(भाग), 21(भाग), 22(भाग), 23 से 53, 54(भाग), 80 से 87, 89 से 99, 100(भाग), 101(भाग), 102(भाग), 111(भाग), 113 से 118, 120 से 122, 124 से 152, 154 से 251, 253 से 258, 260 से 276, 278 से 284, 286 से 298, 301 से 316, 317(भाग), 318(भाग), 319(भाग), 320(भाग), 330(भाग), 410(भाग), 411 से 416, 418 से 449, 450(भाग), 451 से 452, 453(भाग), 457(भाग), 471 से 476, 478, 481 से 491, 494, 496 से 513, 515 से 527, 528(भाग), 529(भाग), 530(भाग), 532 से 533, 534(भाग), 535 से 545, 547(भाग), 548(भाग), 554 से 555, 557 से 568, 569(भाग), 572 से 575, 577, 579, 580(भाग), 583, 586, 592, 593, 596 से 597, 604 से 605, 607 से 608, 612 से 613, 617, 628 से 638, 639(भाग), 640 से 642, 653, 556 से 678, 680 से 684, 688 से 701, 707 से 712, 714, 717 से 724, 731 से 736, 737(भाग), 741 से 748, 751 से 752, 758, 762 से 764, 768, 770 से 774, 927(भाग)

अर्जित किये जाने वाले वन प्लाटों की सूची :

- | | |
|----------------|------|
| 1. बेलडीही | 15. |
| 2. कुन्तीझरिया | 10/1 |

सीमा वर्णन :

रेखा : क-ख

रेखा ग्राम कथापल्ली के पूर्वी भाग में स्थित बिन्दु "क" (प्लाट सं. 306) से आरम्भ होती है तथा उत्तर पूर्व दिशा में बढ़ती हुई उक्त ग्राम के उत्तरी सीमा को काटती हुई ग्राम मनोहरपुर (प्लाट सं. 1078, 1080 एवं 1081) एवं ग्राम दुलंगा (प्लाट सं. 93) के पश्चिमी सीमा से गुजरती है तथा उसके पश्चात् रेखा उसी दिशा में आगे बढ़ती हुई प्लाट सं. 124, 125, 141, 138, 219, 205 से गुजरती हुई ग्राम दुलंगा के उत्तरी भाग में स्थित बिन्दु "ख" (प्लाट सं. 187) पर समाप्त होती है।

रेखा : ख-ग

रेखा ग्राम दुलंगा के उत्तरी भाग में स्थित बिन्दु "ख" (प्लाट सं. 187) से आरम्भ होती है तथा दक्षिण पूर्व दिशा में बढ़ती हुई ग्राम दुलंगा के पूर्वी सीमा को प्लाट सं. 7, 661, 454 के समीप से काटती हुई ग्राम माझापाड़ा (ग्राम सं. 112) से गुजरती है तथा उक्त ग्राम के पश्चिमी सीमा को प्लाट सं. 568, 569 के समीप से काटती हुई ग्राम कुन्तीझरिया (ग्राम सं. 113) के उत्तरी पूर्व भाग में स्थित प्लाट सं. 54 के समीप बिन्दु "ग" पर समाप्त होती है।

रेखा : ग-घ

रेखा ग्राम माझापाड़ा के प्लाट सं. 569 के समीप तथा ग्राम कुन्तीझरिया (ग्राम सं. 113) के उत्तरी पूर्वी भाग में स्थित बिन्दु "ग" से आरम्भ होती है तत्पश्चात् रेखा दक्षिण पश्चिम दिशा में बढ़ती हुई गिरी पहाड़ (संरक्षित वन) एवं प्लाट सं. 54 से गुजरती हुई ग्राम कुन्तीझरिया के दक्षिणी सीमा को काटती हुई ग्राम बेलडीही के पूर्वी सीमा में प्रवेश करती है तथा उक्त ग्राम के दक्षिणी सीमा को काटती हुई अन्ततः गिरी पहाड़ (संरक्षित वन) में स्थित बिन्दु "घ" पर समाप्त होती है।

रेखा : घ-क

रेखा गिरी पहाड़ (संरक्षित वन) में स्थित बिन्दु "घ" से आरम्भ होती है तथा उत्तर पश्चिम दिशा में बढ़ती हुई ग्राम बेलडीही के दक्षिणी सीमा में स्थित प्लाट सं. 255 के समीप से प्रवेश करती हुई आगे प्लाट सं. 298 के समीप तक बढ़ती है और अन्ततः ग्राम कथापल्ली के पूर्वी भाग में स्थित बिन्दु "क" (प्लाट सं. 306) पर समाप्त होती है।

[सं. 43015/7/2006-पीआरआईडब्ल्यू-1 (जिल्ड-II)]

एम. शाहबुद्दीन, अवर सचिव

New Delhi, the 3rd February, 2009

S.O. 365.—Whereas by the notification of the Government of India in the Ministry of Coal, vide S.O. number 2376 dated 21st August, 2007 issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition & Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in Part-II, Section-3, Sub-section (ii) of the Gazette of India dated the 25th August, 2007, the Central Government gave notice of its intention to prospect for coal in 656.14 Hectares (approximately) or 1621.32 Acres (approximately), of the lands in the locality specified in the schedule annexed to this notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands described in the Schedule appended to this notification;

Now, therefore, in exercise of powers conferred by Sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition & Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to acquire the land measuring 656.14 Hectares (approximately) or 1621.32 Acres (approximately) in all rights in the schedule appended hereto.

1. The plan bearing No. NTPC/Rev. plan /DCMP/ Sec. 7(1)/2008/dated the 3rd August, 2008 of the area covered by this notification may be inspected in the office of the Deputy General Manager (CM-Civil), NTPC Ltd., first floor, PDIL Building, Sector-1, Noida, Uttar Pradesh or in the office of AGM (I/C), Talaipali & Dulanga Coal Mining Project, NTPC Ltd., Lakshmi Bhawan, Main Road, Behramal, District-Jharsuguda, Orissa-768203 or at the office of the Chief General Manager (Exploration Division), Central Mine Planning & Design Institute, Gondwana Place, Kanke Road, Ranchi or at office of the Coal Controller, 1, Council House Street, Kolkata-700001 or in the office of District Collector & Magistrate, District-Sundargarh, Orissa.

2. Attention is hereby invited to the provision of Section 8 of the said Act which provides as follows :

Objection to acquisition :

8(1) Any person interested in any land in respect of which a notification under sub-section (1) of Section 7 has been issued may, within thirty days of issue of the notification, object to the acquisition of the whole or any part of the land or of any right in or over such land.

Explanation :

(1) It shall not be an objection within the meaning of the section for any person to say that he himself desires to undertake mining operation in the land for the production of the Coal and such operations should not be undertaken by Central Government or by any other person.

(2) Every objection under sub-section (1) of Section 8 shall be made to the Competent Authority in writing and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further enquiry, if any, as he think necessary, either makes a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcel of such lands or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the records of proceedings held by him for the decision of the Government.

(3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.

(4) The Coal Controller, 1, Council House Street, Kolkata-700001, has been appointed by the Central Government as the Competent Authority under the section 3 of the said Act vide notification number S.O. 3629, published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated 9th September, 2006, which was subsequently amended vide number S.O. 2307 published in Part-II, section 3, Sub-section (ii) of the Gazette of India dated the 18th August, 2007.

SCHEDULE

Dulanga Coal Mining Block
District : Sundergarh, Orissa

Plan number NTPC/Rev. plan/DCMP/Sec.7(1)/2008 dated the 3rd August, 2008.

ALL RIGHTS

A. REVENUE LAND

Sl. No.	Name of Village	Thana	District	Patwari Circle No.	Area (in hectares)	Area (in acres)	Remarks
1.	Dulanga	Hemgir	Sundergarh	105	97.75	241.54	Part
2.	Manoharpur	Hemgir	Sundergarh	106	8.25	20.38	Part
3.	Kathapali	Hemgir	Sundergarh	108	48.81	120.61	Part
4.	Beldehi	Hemgir	Sundergarh	111	267.12	660.05	Part
5.	Kuntijharia	Hemgir	Sundergarh	113	33.22	82.09	Part
6.	Majhapada	Hemgir	Sundergarh	112	97.56	241.07	Part
TOTAL AREA					552.71	1365.74	

B. Forest Land

Sl. No.	Village	Thana	District	Com-partment No.	Total Area (Approximate)		Remarks
					Hectare	Acre	
1.	Beldehi	Hemgir	Sundergarh	15	15.82	39.09	Dhanuadihi
2.	Kuntijharia	Hemgir	Sundergarh	10/1	87.61	216.49	Giri Pahad
TOTAL AREA					103.43	255.58	

Summary:

A. Total Revenue Land: 552.71 Ha (Approximate) = 1365.74 Acre (Approximate)

B. Total Forest Land: 103.43 Ha (Approximate) = 255.58 Acre (Approximate)

C. Grand Total (A+B): 656.14 Ha (Approximate) = 1621.32 Acre (Approximate).

LIST OF THE REVENUE PLOT TO BE ACQUIRED:**1. Dulanga:**

93 (part), 96, 97 (part), 98 to 123, 124, 125 (part), 126 to 135, 136 (part), 138 (part), 141 (part), 142 to 143, 144 (part), 187 (part), 188 to 189, 190 (part), 191 to 196, 200 (part), 201 (part), 202 to 204, 205 (part), 217 (part), 219 (part), 220 to 281, 453 (part), 454 (part), 456 (part), 458 (part), 459 (part), 460 to 464, 465 (part), 474 (part), 477 (part), 478 (part), 479 to 502, 503 (part), 504 (part), 509 (part), 510 (part), 519 (part), 520 (part), 521 (part), 522 to 669, 670 (part), 671 to 684, 685 (part), 690 to 833, 834 (part), 835 to 846, 848 to 850, 853, 862 to 864, 876 to 883, 885 to 890, 892.

2. Manoharpur:

1078 (part), 1079, 1080 (part), 1081 (part)

3. Kathapali:

298 (part), 299 (part), 300, 301 (part), 302 (part), 303 to 304, 305 (part), 306 to 326, 327 (part), 328 to 332, 374 to 381.

4. Beldehi:

3 (part), 4 (part), 6 (part), 7 (part), 50 (part), 83 (part), 84 (part), 85 (part), 86 (part), 87 (part), 88 (part), 89, 90 (part), 91 (part), 92 (part), 93 (part), 111, 112 (part), 113 (part), 114 to 115, 116 (part), 118 (part), 119 to 143, 145 to 151, 153, 155 (part), 156 to 161, 162 (part), 163 (part), 165 (part), 169 (part), 170 (part), 171, 172 (part), 173 to 185, 187 to 200, 201 (part), 202 to 233, 235 to 254, 255 (part), 256 to 295, 298 (part), 299 (part), 312, 314 to 326, 333 (part), 335 (part), 336, 339 (part), 340 to 344.

5. Kuntijharia:

2 to 43, 44 (part), 45 (part), 46, 47 (part), 48 (part), 49 (part), 52 (part), 53, 54 (part), 62 (part), 83 (part), 84 (part), 85 (part), 86 (part), 87 (part), 88 (part).

6. Majhapada:

5 (part), 7 (part), 8 to 14, 15 (part), 20 (part), 21 (part), 22 (part), 23 to 53, 54 (part), 80 to 87, 89 to 99, 100 (part), 101 (part), 102 (part), 111 (part), 113 to 118, 120 to 122, 124 to 152, 154 to 251, 253 to 258, 260 to 276, 278 to 284, 286 to 298, 301 to 316, 317 (part), 318 (part), 319 (part), 320 (part),

330 (part), 410 (part), 411 to 416, 418 to 449, 450 (part), 451 to 452, 453 (part), 457 (part), 471 to 476, 478, 481 to 491, 494, 496 to 513, 515 to 527, 528 (part), 529 (part), 530 (part), 532 to 533, 534 (part), 535 to 545, 547 (part), 548 (part), 554 to 555, 557 to 568, 569 (part), 572 to 575, 577, 579, 580 (part), 583, 586, 592, 593, 596 to 597, 604 to 605, 607 to 608, 612 to 613, 617, 628 to 638, 639 (part), 640 to 642, 653, 656 to 678, 680 to 684, 688 to 701, 707 to 712, 714, 717 to 724, 731 to 736, 737 (part), 741 to 748, 751 to 752, 758, 762 to 764, 768, 770 to 774, 927 (part).

LIST OF THE FOREST PLOT TO BE ACQUIRED:**1. Beldehi: 15.****2. Kuntijharia: 10/1.****Boundary Description:**

Line A-B: The line starts from point "A" near eastern part of village Kathapali (Plot No. 306) and moving towards north east direction cutting northern boundary of the said village, passes through the village Manoharpur (Plot No. 1078, 1080 & 1081), the western boundary of the village Dulanga (Plot No. 93) and it moves further in the same direction passing through Plot Nos. 124, 125, 141, 138, 219, 205 and ends at point "B" in the northern part of the village Dulanga (Plot No. 187).

Line B-C: The line starts at point "B" in the northern part of the village Dulanga (Plot No. 187) and moving in the south east direction cutting the eastern boundary of the village Dulanga near Plot Nos. 7, 661, 454, passes through village Majhapada (village No. 112), cuts the western boundary of the said village near Plot Nos. 568, 569 and ends at point "C" in the north eastern part of the village Kuntijharia (village No. 113) near Plot No. 54 of the said village.

Line C-D: The line starts at Point "C" in north eastern part of the village Kuntijharia (village No. 113) near Plot No. 569 of village Majhapada, moves in the south west direction, cutting the southern boundary of the village Kuntijharia passes through the Giripahad (RF), Plot No. 54, enter the village Beldehi through its eastern boundary, cutting the southern boundary of the said village and finally ends at point "D" in the Giripahad (RF).

Line D-A: The line starts at Point "D" in the Giripahad (RF) move in the north west direction enters the southern boundary of the village Beldehi, near Plot No. 255, moves further nearly upto Plot No. 298 and finally ends at point "A" near the eastern part of village Kathapali (Plot No. 306).

[No. 43015/7/2006/PRW-I (Vol. II)]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 4 फरवरी, 2009

का.आ. 366.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है,

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है,

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/331 तारीख

19 नवम्बर, 2008 का निरीक्षण कलेक्टर, उमरिया, मध्य प्रदेश के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता 700 001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, राजस्व अनुभाग, सीपत रोड, बिलासपुर-495 006, छत्तीसगढ़ के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, भारसाधक अधिकारी या विभागाध्यक्ष (राजस्व), साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495006, छत्तीसगढ़ को भेजेंगे।

अनुसूची

पिनौरा डेपिलरिंग ब्लॉक, जोहिला क्षेत्र, जिला-उमरिया (मध्य प्रदेश)

रेखांक संख्या—एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/331

तारीख 19 नवम्बर, 2008

क्रम सं.	ग्राम	पटवारी हल्का नम्बर	साधारण सं.	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पण
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	देवरी अमहाई	99	334	बांधोगढ़	उमरिया	63.745	भाग
2.	पिनौरा	99	413	बांधोगढ़	उमरिया	79.494	भाग
3.	पिपरारी	99	414	बांधोगढ़	उमरिया	5.965	भाग
कुल क्षेत्र :				149.204 हेक्टर (लगभग)			
				या 368.68 एकड़ (लगभग)			

सीमा वर्णन :

क-ख रेखा ग्राम देवरी अमहाई में "क" बिन्दु से आरंभ होती है और ग्राम देवरी अमहाई की पश्चिमी सीमा के सामानान्तर और पास से होती हुई बिन्दु "ख" पर मिलती है।

ख-ग रेखा ग्राम देवरी अमहाई से होती हुई ग्राम पिनौरा की पश्चिमी सीमा के पास "ग" बिन्दु पर मिलती है।

ग-घ-ड. रेखा ग्राम पिनौरा, देवरी अमहाई और बिन्दु "घ" से होती हुई ग्राम देवरी अमहाई की पूर्वी सीमा के करीब बिन्दु "ड." पर मिलती है।

ड.-च-छ रेखा ग्राम देवरी अमहाई, पिनौरा, पिपरारी, बिन्दु "च" से गुजरती हुई ग्राम पिनौरा में बिन्दु "छ" पर मिलती है।

छ-ज-झ-ज-ट रेखा ग्राम पिनौरा के मध्य भाग से और बिन्दु "ज", "झ", "ज" से होती हुई बिन्दु "ट" पर मिलती है।

ट-क रेखा ग्राम पिनौरा, देवरी अमहाई से गुजरती हुई आरंभिक बिन्दु "क" पर मिलती है।

[फा. सं. 43015/31/2008-पी.आर.आई.डब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 4th February, 2009

S.O. 366.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing number SECL/BSP/C/M(Plg)/Land/331 dated the 19th day of November, 2008 of the area covered by this notification can be inspected at the office of the Collector, Umaria, Madhya Pradesh or at the office of the Coal Controller, 1, Council House Street, Kolkata-700001 or at the office of the South Eastern Coalfields Limited, Revenue Section, Seepat Road, Bilaspur-495006, Chhattisgarh ;

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Officer-in-Charge or Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur - 495006, Chhattisgarh, within the period of ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

Pinoura Depillaring Block, Johilla Area
District : Umaria, Madhya Pradesh

Plan Number:SECL/BSP/GM(Plg)/Land/331 dated the 19th day of November, 2008

Sl. No.	Village	Patawari halka number	General number	Tahsil	District	Area (in hectares)	Remarks
1.	Deori Amhai	99	334	Bandhogarh	Umaria	63.745	Part
2.	Pinoura	99	413	Bandhogarh	Umaria	79.494	Part
3.	Piprari	99	414	Bandhogarh	Umaria	5.965	Part
TOTAL					149.204 hectares (approximately) or 368.68 acres (approximately)		

Boundary Description :

- A-B : Line starts from point 'A' in village Deori Amhai and passes parallel and adjacent to western boundary of village Deori Amhai and meets at point "B".
- B-C : Line passes through village Deori Amhai and meets at point 'C' near western boundary of village Pinoura.
- C-D-E : Line passes through village Pinoura, Deori Amhai and point 'D' and meets at point 'E' near the eastern boundary of village Deori Amhai.
- E-F-G : Line passes through village Deori Amhai, Pinoura, Piprari, point 'F' and meets at point 'G' in village Pinoura.
- G-H-I-J-K: Line passes through middle part of village Pinoura, point 'H', point 'I' and point 'J' and meets at point 'K'.
- K-A : Line passes through village Pinoura, Deori Amhai and meets at starting point 'A'.

[F.No. 43015/31/2008-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 4 फरवरी, 2009

का.आ. 367.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/325 तारीख 11 अक्टूबर, 2008 का निरीक्षण कलेक्टर, उमरिया, मध्य प्रदेश के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, राजस्व अनुभाग, सीपत रोड, बिलासपुर-495006, छत्तीसगढ़ के कार्यालय में किया जा सकता है;

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उप-धारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन की अवधि के भीतर, भारसाधक अधिकारी या विभागाध्यक्ष (राजस्व) साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495006, छत्तीसगढ़ को भेजेंगे।

अनुसूची

विन्ध्या डेपिलरिंग ब्लॉक, जोहिला क्षेत्र, जिला-उमरिया, मध्य प्रदेश

रेखांक संख्या-एसईसीएल/बीएसपी/जीएम (पीएलजी)/धूमि/325

तारीख 11 अक्टूबर, 2008

क्रम सं.	ग्राम	पटवारी हल्का नम्बर	साधारण सं.	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पण
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	डगडउवा	102	290	बांधोगढ़	उमरिया	81.040	भाग

कल क्षेत्र : 81.040 हेक्टेयर (लगभग)

या 200.25 एकड़ (लगभग)

सीमा वर्णन :

क-ख-ग रेखा ग्राम लहंगी और डगडउवा की सम्मिलित सीमा पर "क" बिन्दु से आरंभ होती है और ग्राम डगडउवा के पश्चिमी भाग, बिन्दु "ख" से होती हुई बिन्दु "ग" पर मिलती है।

ग-घ रेखा ग्राम डगडउवा के उत्तरी भाग से होती हुई "ड" बिन्दु पर मिलती है।

घ-ङ-च रेखा ग्राम डगडुवा के मध्य भाग, बिन्दु "ङ" से होती हुई बिन्दु "च" पर मिलती है।

च-छ रेखा ग्राम डगडउवा से होती हुई ग्राम डगडउवा-लहंगी की सम्मिलित सीमा में बिन्दु “छ” पर मिलती है।

छ-क रेखा ग्राम डगडउवा-सहंगी की सम्मिलित सीमा से होती हुई आरंभिक बिन्दु "क" पर मिलती है।

[फा. सं. 43015/22/2008-पी आर आई डब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 4th February, 2009

S.O. 367.— Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein:

The plan bearing number SECL/BSP/GM(Plg)/Land/325 dated the 11th day of October, 2008 of the area covered by this notification can be inspected at the Office of the Collector, Umaria, Madhya Pradesh or at the Office of the Coal Controller, I, Council House Street, Kolkata-700001 or at the Office of the South Eastern Coalfields Limited, Revenue Section, Seepat Road, Bilaspur-495 006, Chhattisgarh :

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Officer-in-Charge or the Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur - 495 006, Chhattisgarh, within the period of ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

**Vindhya Depillaring Block, Johilla Area
District-Umaria, Madhya Pradesh**

Plan number SECL/BSP/GM(Plg.)/Land/325 dated the 11th day of October, 2008

Sl. No.	Village	Patawari halka number	General number	Tahsil	District	Area in hectares	Remarks
1.	Dagdauwa	102	290	Bandhogarh	Umaria	81.040	Part
TOTAL : 81.040 hectares (approximately) or 200.25 acres (approximately)							

Boundary Description :—

A-B-C : Line starts from point 'A' on the common boundary of villages Lahangi and Dagdauwa and passes through western part of the village Dagdauwa to meet point "B" and meets at point 'C' in the same village.

C-D : Line passes through northern part of village Dagdauwa and meets at point 'D'.

D-E-F : Line passes through central part of village Dagdauwa to meet point 'E' and meets at point 'F' in the same village.

F-G : Line passes through village Dagdauwa and meets at point 'G' on the common boundary of villages Dagdauwa and Lahangi.

G-A : Line passes along the common boundary of villages Dagdauwa and Lahangi and meets at starting point 'A'.

[F.No. 43015/22/2008-PRJW-1]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 4 फरवरी, 2009

का.आ.368 .—केन्द्रीय सरकार को प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अन्तर्गत आने वाले रेखांक संख्यांक सी-1 (ई) III/जेआर/765-0808, तारीख 16 अगस्त, 2008 का निरीक्षण वेस्टर्न कोलफील्ड्स लिमिटेड, राजस्व विभाग, कोल ईस्टेट, सिविल लाईन्स, नागपुर-440001, महाराष्ट्र के कार्यालय में या मुख्य महाप्रबंधक, (एक्सप्लोरेशन प्रभाग), केन्द्रीय खान, योजना और डिजाइन संस्थान, गोंडवाना पॅलेस, काँके रोड, राँची के कार्यालय में या कोयला नियंत्रक, 1, काऊंसिल हाऊस स्ट्रीट, कोलकाता-700001 के कार्यालय में या कलेक्टर और जिला मैजिस्ट्रेट, चंद्रपुर, महाराष्ट्र के कार्यालय में किया जा सकता है;

इस अधिसूचना के अन्तर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उप-धारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिनों के भीतर, विशेष कार्याधिकारी (भूमि/राजस्व), वेस्टर्न कोलफील्ड्स लिमिटेड, राजस्व विभाग, कोल ईस्टेट, सिविल लाईन्स, नागपुर-440001, महाराष्ट्र को भेजेंगे।

अनुसूची**भटाडी विस्तार ओपनकास्ट खान, चंद्रपुर क्षेत्र****जिला चंद्रपुर, महाराष्ट्र**

(रेखांक संख्या : सी.-1 (ई) III/जेआर/765-0808, तारीख 16 अगस्त, 2008)

क्रम सं.	ग्राम का नाम	पटवारी सर्कल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर	टिप्पणी
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	पायली भटाडी	12	चंद्रपुर	चंद्रपुर	275.21	भाग
2.	कीटाडी (राय)	12	चंद्रपुर	चंद्रपुर	54.73	भाग
3.	चौदला सुरला	11	चंद्रपुर	चंद्रपुर	68.35	भाग
4.	तिरवंजा चक	34	भद्रावती	चंद्रपुर	78.57	भाग
कुल क्षेत्र :				476.86 हेक्टर (लगभग)		
				या		
				1178.36 एकड़ (लगभग)		

सीमा वर्णन :—

क-ख-ग : रेखा बिन्दु “क” से आरंभ होती है और ग्राम तिरवंजा चक से गुजरती है और ग्राम तिरवंजा चक तथा पायली भटाडी की सम्मिलित ग्राम सीमा को पार करती है फिर ग्राम पायली भटाडी से गुजरती हुई ग्राम पायली भटाडी में बिन्दु “ख” के पास से होती हुई इरई नदी और ग्राम पायली भटाडी की ग्राम सीमा को पार करती है और बिन्दु “ग” पर मिलती है।

ग-घ-ङ : रेखा ग्राम कीटाडी (राय) से गुजरती है और नाला पार करते हुए बिन्दु “घ” के पास से होती हुई इरई नदी के पूर्वी किनारे पर बिन्दु “ङ” पर मिलती है।

ङ-च-छ : रेखा इरई नदी को पार करती है फिर ग्राम पायली भटाडी और ग्राम चांदला सुरला की सम्मिलित ग्राम सीमा को पार करती है और इरई नदी के पश्चिमी किनारे से होती हुई ग्राम चांदला सुरला में बिन्दु “च” से गुजरती है और आगे जाकर बिन्दु “छ” पर मिलती है।

छ-ज-झ : रेखा ग्राम चांदला सुरला से गुजरती है और बिन्दु “ज” के पास से होती हुई ग्राम चांदला सुरला तथा ग्राम तिरवंजा चक की सम्मिलित ग्राम सीमा पार करती है और ग्राम तिरवंजा चक से गुजरती हुई बिन्दु “झ” पर मिलती है।

झ-ञ-ट : रेखा ग्राम तिरवंजा चक में सड़क से होकर गुजरती है और बिन्दु “ञ” के पास से होती हुई भटाडी ओपनकास्ट की अधिग्रहित सीमा से गुजरती है और बिन्दु “ट” पर मिलती है।

ट-ठ-ड : रेखा ग्राम तिरवंजा चक में भटाडी ओपनकास्ट के फेज-1 की अधिग्रहित सीमा से होती हुई गुजरती है और ग्राम तिरवंजा चक तथा ग्राम चांदला सुरला की सम्मिलित ग्राम सीमा को पार करती है, फिर ग्राम चांदला सुरला में बिन्दु “ठ” के पास से गुजरती है और ग्राम चांदला सुरला और ग्राम पायली भटाडी की सम्मिलित ग्राम सीमा से होती हुई बिन्दु “ड” पर मिलती है।

ड-ढ : रेखा ग्राम पायली भटाडी में इरई नदी के साथ-साथ जाती है फिर भटाडी ओ.सी. परियोजना की सीमा से होती हुई बिन्दु “ढ” पर मिलती है।

ढ-ण-त : रेखा ग्राम पायली भटाडी में अधिग्रहित भटाडी ओपनकास्ट की सीमा से होती हुई बिन्दु “ण” को पार

करती है और आगे बढ़ती है फिर ग्राम पायली भटाडी और ग्राम तिरवंजा चक की सम्मिलित ग्राम सीमा पर बिन्दु “त” पर मिलती है।

त-थ-क : रेखा ग्राम तिरवंजा चक में भटाडी ओपनकास्ट की अधिग्रहित सीमा के साथ-साथ जाती हुई बिन्दु “थ” के पास से ग्राम तिरवंजा चक और ग्राम तिरवंजा भोकासा की सम्मिलित ग्राम सीमा के साथ-साथ जाती है फिर ग्राम तिरवंजा से होती हुई आरंभिक बिन्दु “क” पर मिलती है।

[फा.सं. 43015/27/2008-पी.आर.आई.डब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 4th February, 2009

S.O. 368.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing number C-I(E)III/JR/765-0808 dated the 16th day of August, 2008 of the area covered by this notification can be inspected at the office of the Western Coalfields Limited, Revenue Department, Coal Estate, Civil Lines, Nagpur-440001, Maharashtra or at the Office of the Chief General Manager (Exploration Division), Central Mine Planning and Design Institute, Gondwana Place, Kanke Road, Ranchi or at the office of the Coal Controller, 1, Council House Street, Kolkata-700001 or at the office of the District Collector, Chandrapur, Maharashtra;

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Officer-on-Special Duty (Land/Revenue), Western Coalfields Limited, Revenue Department, Coal Estate, Civil Lines, Nagpur-440001, Maharashtra within the period of ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

Bhatadi Expansion Opencast Mine

Chandrapur Area

District Chandrapur, Maharashtra

Plan number : C-I(E)III/JR/765-0808 dated the 16th day of August, 2008

Serial number	Name of village	Patwari circle number	Tahsil	District	Area in hectares	Remarks
1	Paili Bhatadi	12	Chandrapur	Chandrapur	275.21	Part
2	Kitadi (Rai)	12	Chandrapur	Chandrapur	54.73	Part
3	Chandla Surla	11	Chandrapur	Chandrapur	68.35	Part
4	Tirwanja Chak	34	Bhadravati	Chandrapur	78.57	Part

Total area: 476.86 hectares (approximately) or 1178.36 acres (approximately)

Boundary description :—

A-B-C: Line starts from point 'A' and passes through village Tirwanja Chak and crosses common village boundary of villages Tirwanja Chak and Paili Bhatadi then proceed through village Paili Bhatadi and passes nearby point 'B' in village Paili Bhatadi then crosses Erai River and village boundary of Village Paili Bhatadi and meets at point 'C'.

C-D-E: Line passes through village Kitadi (Rai) then crosses nallah and passes nearby point 'D' then passes along the Eastern Bank of Erai River and meets at point 'E'.

E-F-G: Line crosses Erai River and passes along, the Western Bank of Erai River, then crosses common village boundary of villages Paili Bhatadi and Chandla Surla and passes along, the Western Bank of Erai River and passes nearby point 'F' in village Chandla Surla and meets at point 'G'.

G-H-I: Line passes through village Chandla Surla and passes nearby point 'H' on common village boundary of village Chandla Surla and Tirwanja Chak then meets at point 'I'.

I-J-K: Line passes through village Tirwanja Chak along the road and passes near by point 'J' then passes along the existing Bhatadi Opencast boundary and meets at point 'K'.

K-L-M: Line passes through village Tirwanja Chak along the Bhatadi Opencast Phase-I boundary then crosses common village boundary of villages Tirwanja Chak and Chandla Surla then proceeds through village Chandla Surla along the Bhatadi open cast phase- I boundary nearby point 'L', then crosses common village boundary of village Chandla Surla and Paili Bhatadi and proceed through village Paili Bhatadi and meets at point 'M'.

M-N: Line passes along the Erai river in village Paili Bhatadi then passes along the acquired boundary of Bhatadi Opencast Project and meets at point 'N'.

N-O-P: Line passes in village Paili Bhatadi along the acquired project boundary of village Paili Bhatadi, passes nearby point 'O' then passes along the common village boundary of villages Paili Bhatadi and Tirwanja Chak and meets at point 'P'.

P-Q-A: Line passes in village Tirwanja Chak along the outer boundary of existing project of Bhatadi Opencast Project and passes nearby point 'Q' along the common village boundary of village Tirwanja Chak and Tirwanja Mokasa then proceeds through village Tirwanja Chak and meets at starting point 'A'.

[F.No. 43015/27/2008-PRIW-I]

M. SHAHABUDEEN, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 2 फरवरी, 2009

का.आ. 369.—भारत सरकार ने पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2855 तारीख 11 अक्टूबर, 2008 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गैल (इण्डिया) लिमिटेड द्वारा तमिलनाडु राज्य में ए. के. एम. ओ. एन. जी. सी. से साउथ इण्डिया इंडियल प्राइवेट लिमिटेड तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 6-12-2008 तक उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के संबंध में सक्षम प्राधिकारी को निर्धारित अवधि में जनता से कोई आक्षेप प्राप्त नहीं हुए;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन् बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन् बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइन् बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, भारत सरकार में निहित होने के बजाए, पाइपलाइन् बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तालुका	गाँव	सर्वे सं.	क्षेत्रफल (हेक्ट. में)
थिरुवरुर	थिरुवरुर	19. अलिवनम्	130-1	0.04.0
			18-1	0.13.0
			17-1	0.04.0
			17-2	0.18.0
			17-3	0.02.5
			13	0.04.0 G.P.
			कुल	0.45.5

[फा. सं. एल-14014/27/08-जी.पी. (भाग-1)]

के. के. शर्मा, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 2nd February, 2009

S.O. 369.—Whereas by notification of Government of India in Ministry of Petroleum and Natural Gas number S.O. 2855 dated 11th October, 2008; issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for

transportation of natural gas from AKM ONGC to South India Edible Pvt. Limited gas pipeline project in the State of Tamilnadu by GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 6-12-2008;

And whereas no objections were received from the public to the laying of the said pipeline by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to Government of India;

And whereas Government of India after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby directs that the Right of User in the land for laying the pipeline shall, instead of vesting in Government of India, vest, on this date of the publication of the declaration, in the GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Taluka	Village	Survey No.	Area to be Acquired (in Hect.)
Thiruvavarur	Thiruvavarur	19. Alivalam	130-1	0.04.0
			18-1	0.13.0
			17-1	0.04.0
			17-2	0.18.0
			17-3	0.02.5
			13	0.04.0 G.P.
			Total	0.45.5

[F. No. L-14014/27/08-G.P. (Part-I)]

K. K. SHARMA, Under Secy.

नई दिल्ली, 2 फरवरी, 2009

का.आ. 370.—भारत सरकार ने पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2856 तारीख 11 अक्टूबर, 2008 द्वारा उस अधिसूचना से

संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा, तमिलनाडु राज्य में ए. के. एम. साउथ इण्डिया इडिबल प्राइवेट लिमिटेड से नरीमानम सिलिकेट तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 6-12-2008 तक उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के संबंध में सक्षम प्राधिकारी को निर्धारित अवधि में जनता से कोई आक्षेप प्राप्त नहीं हुए;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, भारत सरकार में निहित होने के बजाए, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तालुका	गाँव	सर्वे सं.	क्षेत्रफल (हेक्ट. में)
थिरुवरुर	थिरुवरुर	19/1 करुप्पुर	280	0.04.0
			कुल	0.04.0
		17 अडियक्कमंगलम		
			2/1	0.08.0
			3/1	0.01.5 G.P.
			11/7C	0.02.5
			कुल	0.12.0

[फा. सं. एल-14014/28/08-जी.पी. (भाग-I)]

के. के. शर्मा, अवर सचिव

New Delhi the 2nd February, 2009

S.O. 370.—Whereas by notification of Government of India in Ministry of Petroleum and Natural Gas number S.O. 2856 dated 11th October, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of natural gas from AKM South India Edible Pvt. Limited to Narimanam Silicates pipeline project in the State of Tamilnadu by GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 6-12-2008;

And whereas no objections were received from the public to the laying of the said pipeline by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to Government of India;

And whereas Government of India after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby directs that the Right of User in the land for laying the pipeline shall, instead of vesting in Government of India, vest, on this date of the publication of the declaration, in GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Taluka	Village	Survey No.	Area to be Acquired (in Hect.)
Thiruvavur	Thiruvavur	19/1 Karuppur	280	0.04.0
			Total	0.04.0
		17 Adiyakka-mangalam	2/1	0.08.0
			3/1	0.01.5 G.P.
			11/7C	0.02.5
			Total	0.12.0

[F. No. L-14014/28/08-G.P. (Part-I)]

K. K. SHARMA, Under Secy.

नई दिल्ली, 2 फरवरी, 2009

का.आ. 371.—भारत सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2443, तारीख 21 अगस्त, 2008 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा यूनिजन टैरीटरी ऑफ पुडुचेरी में एस.एफ.एल. से वयगाई वाया बोस प्रोफाईल पाइपलाइन परियोजना के माध्यम से प्राकृतिक-गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और, उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 11-11-2008 से 17-11-2008 तक उपलब्ध करा दी गई थी;

और निर्धारित समयबधि में जनता से कोई आक्षेप प्राप्त नहीं हुए ;

और, सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, भारत सरकार में निहित होने के बजाए, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विलसंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा ।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
(1)	(2)	(3)	(4)	(5)
करैकल	तिरुनल्लार	16. सोराकुडी	253	0.21.0
			254-1	0.16.0
			254-2ए	0.14.0
			254-2बी	0.04.0

(1)	(2)	(3)	(4)	(5)
		16. सोराकुडी	259	0.01.0 जी.पी.
			260	0.01.0 जी.पी.
			258-1सी	0.08.0
			258-2ए	0.01.0
			258-2बी	0.19.0
			218-2	0.07.0
			218-3	0.05.0
			218-5	0.08.0
			218-6	0.01.0 जी.पी.
			215-1	0.01.0 जी.पी.
			215-3	0.01.0
			215-4ए	0.04.0
			215-4बी	0.04.0
			219-1ए	0.05.0
			220-1	0.02.5
			220-2	0.06.0
			220-3	0.06.0
			220-5ए	0.02.5
			220-6ए	0.02.0
			220-6बी	0.02.5
			221-2	0.02.0
			221-3	0.02.0
			221-5	0.01.5
			221-6	0.04.5
			221-7	0.01.0
			221-8	0.01.0
			221-9	0-03-0 जी.पी.
			221-17	0.02.0
			221-18	0.11.0
			225-4	0.01.0 जी.पी.
			225-5	0.06.5
			225-7	0.05.0
			224	0.03.0 जी.पी.
			186-1	0.09.0
			186-2	0.03.0
			186-4	0.05.0
			185-6	0.01.5 जी.पी.
			185-7	0.10.5
			185-8	0.07.0
			187-3	0.01.0 जी.पी.
			184-1	0.06.5
			184-2	0.02.0 जी.पी.
			184-3	0.04.0
			182-1	0.01.0 जी.पी.
			182-2	0.04.5
			182-3	0.07.0

(1)	(2)	(3)	(4)	(5)
कारैकल	तिरुमल्लार 16. सोराकुडी	182-5	0.04.0	
		182-6ए	0.06.0	
		182-6बी	0.03.0	
		153-1	0.01.0	
		153-2	0.13.0	
		154-1	0.03.5जी.पी.	
		154-2ए	0.17.5	
		151-9	0.04.0	
		157-1	0.03.0जी.पी.	
		157-2ए	0.17.0	
		158	0.04.0जी.पी.	
		159	0.04.0जी.पी.	
		160-1	0.10.5	
		161	0.02.0जी.पी.	
		163-2	0.11.5	
		163-3	0.03.5जी.पी.	
		163-4	0.01.0जी.पी.	
		164-1	0.07.0	
		164-6	0.01.0जी.पी.	
कुल			3.64.5	
22. सुमथरायपुरम	13-1	0.07.0		
	13-9	0.01.0जी.पी.		
	13-10ए	0.01.0		
	13-10बी	0.04.0		
	13-10सी	0.01.0		
	13-10डी	0.05.5		
	13-11	0.01.5		
	13-14	0.01.5		
	16-1	0.04.0		
	16-3	0.02.0जी.पी.		
	16-4	0.04.5		
	16-7	0.06.5		
	16-8	0.02.0		
	17-1	0.02.0जी.पी.		
	17-1ए1	0.03.5		
	17-2ए2	0.03.0		
	17-2बी	0.01.5		
	18-1	0.07.0		
	18-2	0.21.0		
	18-3	0.00.5		
	18-4	0.01.0		
	19-2	0.14.0		
	6-1ए	0.06.0		
	6-1बी	0.06.0		
	6-1सी	0.05.5		
	6-2	0.02.5जी.पी.		
कुल			1.15.0	

(1)	(2)	(3)	(4)	(5)
कारैकल	तिरुमल्लार 15. मेला- कासकुडी	86-1	0.11.0	
		86-2	0.03.0जी.पी.	
		86-3	0.02.0जी.पी.	
		86-4	0.01.0जी.पी.	
		85-2	0.01.0जी.पी.	
		85-4	0.01.5	
		85-5	0.01.0जी.पी.	
		84-4	0.01.5जी.पी.	
		84-5	0.09.0	
		87-1	0.21.0	
		87-2	0.01.5	
		81-1	0.32.0	
		81-2	0.02.0	
		80-1	0.07.0	
		80-2	0.05.0	
		73	0.09.0	
		72-3	0.17.0	
		71	0.02.0जी.पी.	
		64-4	0.13.0	
		63-1	0.04.0	
		66-2ए	0.29.0	
		29-1	0.16.0	
		29-4	0.09.0	
		29-5	0.01.0जी.पी.	
		22-9	0.05.0	
		22-10	0.01.0जी.पी.	
		21	0.02.5जी.पी.	
		32-1	0.29.0	
		89	0.02.0 जी.पी.	
कुल			2.39.0	

[फा. सं. एल-14014/15/08-जी.पी. (भाग-1)]

के. के. शर्मा, अवर सचिव

New Delhi, the 2nd February, 2009

S.O. 371.—Whereas, by notification of Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2443, dated 21st August, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying pipeline by Gail (India) Limited for transportation of natural gas from SFCL to Vaiga Industries via Boss Profile in Union Territory of Puducherry.

And, whereas, copies of the said Gazette notifications were made available to the public from 11-11-2008 to 17-11-2008;

And, whereas, no objections were received from the public to the laying of the pipeline within the stipulated period.

And, whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to Government of India;

And, whereas, Government of India, after considering the said report, and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby directs that the Right of User in the land for laying the pipelines shall, instead of vesting in the Government of India, vest, on this date of the publication of the declaration, in GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectares)
(1)	(2)	(3)	(4)	(5)
Karaikal	Thirunallar	16. Sorakudy	253	0.21.0
			254-1	0.16.0
			254-2A	0.14.0
			254-2B	0.04.0
			259	0.01.0 G.P.
			260	0.01.0 G.P.
			258-1C	0.08.0
			258-2A	0.01.0
			258-2B	0.19.0
			218-2	0.07.0
			218-3	0.05.0
			218-5	0.08.0
			218-6	0.01.0 G.P.
			215-1	0.01.0 G.P.
			215-3	0.01.0
			215-4A	0.04.0
			215-4B	0.04.0
			219-1A	0.05.0
			220-1	0.02.5
			220-2	0.06.0
			220-3	0.06.0
			220-5A	0.02.5
			220-6A	0.02.0
			220-6B	0.02.5

(1)	(2)	(3)	(4)	(5)
Karaikal	Thiru- nallar	16. Sorakudy	221-2	0.02.0
			221-3	0.02.0
			221-5	0.01.5
			221-6	0.04.5
			221-7	0.01.0
			221-8	0.01.0
			221-9	0.03.0 G.P.
			221-17	0.02.0
			221-18	0.11.0
			225-4	0.01.0 G.P.
			225-5	0.06.5
			225-7	0.05.0
			224	0.03.0 G.P.
			186-1	0.09.0
			186-2	0.03.0
			186-4	0.05.0
			185-6	0.01.5 G.P.
			185-7	0.10.5
			185-8	0.07.0
			187-3	0.01.0 G.P.
			184-1	0.06.5
			184-2	0.02.0 G.P.
			184-3	0.04.0
			182-1	0.01.0 G.P.
			182-2	0.04.5
			182-3	0.07.0
			182-5	0.04.0
			182-6A	0.06.0
			182-6B	0.03.0
			153-1	0.01.0
			153-2	0.13.0
			154-1	0.03.5 G.P.
			154-2A	0.17.5
			151-9	0.04.0
			157-1	0.03.0 G.P.
			157-2A	0.17.0
			158	0.04.0 G.P.
			159	0.04.0 G.P.
			160-1	0.10.5
			161	0.02.0 G.P.
			163-2	0.11.5
			163-3	0.03.5 G.P.
			163-4	0.01.0 G.P.
			164-1	0.07.0
			164-6	0.01.0 G.P.
Total				3.64.5

(1)	(2)	(3)	(4)	(5)
Karaikal	Thiru- nallar	22. Subbaraya- puram	13-1 13-9 13-10A 13-10B 13-10C 13-10D 13-11 13-14 16-1 16-3 16-4 16-7 16-8 17-1 17-1A1 17-2A2 17-2B 18-1 18-2 18-3 18-4 19-2 6-1A 6-1B 6-1C 6-2	0.07.0 0.01.0 G.P. 0.01.0 0.04.0 0.01.0 0.05.5 0.01.5 0.01.5 0.04.0 0.02.0 G.P. 0.04.5 0.06.5 0.02.0 0.02.0 G.P. 0.03.5 0.03.0 0.01.5 0.07.0 0.21.0 0.00.5 0.01.0 0.14.0 0.06.0 0.06.0 0.05.5 0.02.5 G.P.

Karaikal	Thirunallar	15. Melakasa-kudy	86-1	0.11.0
			86-2	0.03.0 G.P.
			86-3	0.02.0 G.P.
			86-4	0.01.0 G.P.
			85-2	0.01.0 G.P.
			85-4	0.01.5
			85-5	0.01.0 G.P.
			84-4	0.01.5 G.P.
			84-5	0.09.0
			87-1	0.21.0
			87-2	0.01.5
			81-1	0.32.0
			81-2	0.02.0
			80-1	0.07.0
			80-2	0.05.0
			73	0.09.0
			72-3	0.17.0
			71	0.02.0 G.P.
			64-4	0.13.0
			63-1	0.04.0
			66-2A	0.29.0
			29-1	0.16.0
			29-4	0.09.0
			29-5	0.01.0 G.P.
			22-9	0.05.0
			22-10	0.01.0 G.P.

(1)	(2)	(3)	(4)	(5)
			21	0.02.5 G.P.
			32-1	0.29.0
			89	0.02.0 G.P.
Total				2.39.0

[F. No. L-14014/15/08-G.P.(Part-I)]

K. K. SHARMA, Under Secy.

नई दिल्ली, 5 फरवरी, 2009

क्र.आ. 372.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में वाडीनार से मध्यप्रदेश राज्य में बीना तक कूड आयल के परिवहन हेतु भारत ओमान रिफाइनरीज लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री अरविन्द खरे, सक्षम प्राधिकारी, वाडीनार बीना कूड आयल पाइपलाइन परियोजना भारत ओमान रिफाइनरीज लिमिटेड, 8/5, वैशाली नानाखेडा बस स्टैण्ड के पास, उज्जैन-456010 (मध्यप्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : सारंगपुर जिला : राजगढ़ (ब्यावरा) राज्य : मध्य प्रदेश

क्रम ग्राम का नाम सर्वे नंबर क्षेत्रफल हैक्टेयर में सं.

(1)	(2)	(3)	(4)
1.	सेमली लोढ़ा	675/2	0.061
2.	निपान्या-तुला	734	0.132
		732	0.085
		786/3	0.060
		786/2	0.060
		786/1	0.060
		795	0.020
		796/3	0.023
		796/2	0.030
		797	0.020
		682/3	0.232

(1)	(2)	(3)	(4)
3.	प्याना	275/1	0.101
		280/1	0.050
		280/2	0.050
		282/1	0.070
		278/1/1	0.300
4.	देदला	482/1	0.030
		482/2	0.030
5.	शामगी घाट	525/1	0.180
		385/5	0.540
6.	पठारी	328/3	0.015
		299/3/1	0.150
7.	बरखेडी खुर्रम	180/1	0.018
		180/2	0.013
		329/1	0.014
		329/2	0.014
		329/3	0.014
		329/4	0.014
		334/1	0.150
8.	खंजरपुर	1/5/1	0.230
		1/5/2	0.030
		1/5/26	0.015
9.	खजुरिया घाट	32/1	0.090

[फा. सं. आर-31015/2/2009-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 5th February, 2009

S.O. 372.—Whereas it appears to the Central Government that it is necessary in the public interest that for transportation of Crude Oil from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh, a pipeline should be laid by Bharat Oman Refineries Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Arvind Khare, Competent Authority, Vadinar-Bina Crude Oil Pipeline

Project, Bharat Oman Refineries Limited, 8/5 "Vaishali", Near Nanakheda Bus Stand, Ujjain-456 010 (Madhya Pradesh).

SCHEDULE

Tehsil : Samngpur Distt. : Rajgarh State :

Madhya Pradesh

S.No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Samliloda	675/2	0.061
2.	Nipaniyatula	734	0.132
		732	0.085
		786/3	0.060
		786/2	0.060
		786/1	0.020
		795	0.020
		796/3	0.023
		796/2	0.030
		797	0.020
		682/3	0.232
3.	Bhayana	275/1	0.101
		280/1	0.050
		280/2	0.050
		282/1	0.070
		278/1/1	0.300
4.	Daidala	482/1	0.030
		482/2	0.030
5.	Samgi Ghata	525/1	0.180
		385/5	0.540
6.	Pathari	328/3	0.015
		299/3/1	0.150
7.	Barkheda Khurram	180/1	0.018
		180/2	0.013
		329/1	0.014
		329/2	0.014
		329/3	0.014
		329/4	0.014
		334/1	0.150
8.	Khanjarpur	1/5/1	0.230
		1/5/2	0.030
		1/5/26	0.015
9.	Khajuriya Ghata	32/1	0.090

[F. No. R-310: 5/2/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 5 फरवरी, 2009

का.आ. 373.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में वाडीनार से मध्य प्रदेश राज्य में

बीना तक क्रूड आयल के परिवहन हेतु भारत ओमान रिफाइनरीज लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतिर्प्रेषण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री अरविन्द खरे, सक्षम प्राधिकारी, काडीनार बीना क्रूड आयल पाइपलाइन परियोजना भारत ओमान रिफाइनरीज लिमिटेड, 8/5, "वैशाली" नानाखेडा बस स्टैण्ड के पास, उज्जैन-456 010 (मध्य प्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : ब्यावरा जिला : राजगढ़ (ब्यावरा) राज्य : मध्य प्रदेश

क्रम ग्राम का नाम सर्वे नंबर क्षेत्रफल हेक्टेयर में

(1)	(2)	(3)	(4)
1.	कनाडिया खेडी	12/2	0.450
2.	नापानेरा	181/5	0.200
		614/2	0.490
3.	पीपल्या पेदत	64	0.100
4.	देहरी खेडा	30/3	0.150
		319/30	0.230
5.	भुकनी	11/2	0.170
		11/3/1	0.130
		11/4/1	0.129
		11/4/2	0.127
		11/4/3	0.126
		11/4/5	0.128
		11/4/6	0.129
6.	मुलजारपुरा	30/3	0.253
		34/2	0.097
7.	बांकपुरा	142	0.010
		158/1	0.010
		253/156	0.070
8.	लसपुरा	37	0.200
9.	बरखेडी	157	0.051

(1)	(2)	(3)	(4)
10.	भगवानपुरा	19	0.144

[फा. सं. आर-31015/3/2009-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 5th February, 2009

S.O. 373.—Whereas it appears to the Central Government that it is necessary in the public interest that for transportation of Crude Oil from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh, a pipeline should be laid by Bharat Oman Refineries Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Arvind Khare, Competent Authority, Vadinar-Bina Crude Oil Pipeline Project, Bharat Oman Refineries Limited, 8/5 "Vaishali", Near Nanakheda Bus Stand, Ujjain-456 010 (Madhya Pradesh).

SCHEDULE

Tehsil : Biora Dist. : Rajgarh State : Madhya Pradesh

S.No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Kanadiya Khedi	12/2	0.450
2.	Napanera	181/5	0.200
		614/2	0.490
3.	Pipliya Pedat	64	0.100
4.	Dehari Kheda	30/3	0.150
		319/30	0.230
5.	Bhukani	11/2	0.170
		11/3/1	0.130
		11/4/1	0.129
		11/4/2	0.127
		11/4/3	0.126
		11/4/5	0.128
		11/4/6	0.129

(1)	(2)	(3)	(4)
6.	Guljarpura	30/3	0.253
		34/2	0.097
7.	Bankpura	142	0.010
		158/1	0.010
		253/156	0.070
8.	Lalpura	37	0.200
9.	Barkhedi	157	0.051
10.	Bhagwanpura	19	0.144

[F. No. R-31015/3/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 5 फरवरी, 2009

का.आ. 374.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में वाडीनार से मध्य प्रदेश राज्य में बीना तक कूड ऑयल के परिवहन हेतु भारत ओमान रिफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री अरविन्द खरे, सक्षम प्राधिकारी, वाडीनार बीना कूड आयल पाइपलाइन परियोजना भारत ओमान रिफाइनरीज लिमिटेड, 8/5, "वैशाली" नानाखेडा बस स्टैंड के पास, उज्जैन-456010 (मध्य प्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : कुरवाई जिला : विदिशा राज्य : मध्य प्रदेश

क्रम ग्राम का नाम सर्वे नंबर क्षेत्रफल हैक्टर में सं.

(1)	(2)	(3)	(4)
1.	मड़ी जागीर	215/4	0.742
2.	इमलिया	73/1	0.194
3.	बरी भौरासा	311	0.133

(1)	(2)	(3)	(4)
4.	दांगी कुम्हारिया	272	0.021
5.	नाउकुंड	101	0.175

[फा. सं. आर-31015/1/2009-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 5th February, 2009

S.O. 374.—Whereas it appears to the Central Government that it is necessary in the public interest that for transportation of Crude Oil from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh, a pipeline should be laid by Bharat Oman Refineries Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Arvind Khare, Competent Authority, Vadinar-Bina Crude Oil Pipeline Project, Bharat Oman Refineries Limited, 8/5 "Vaishali", Near Nanakheda Bus Stand, Ujjain-456 010 (Madhya Pradesh).

SCHEDULE

Tehsil : Kurwai		Distt. : Vidisha	State : M.P.
S.No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Madhi Jagir	215/4	0.742
2..	Emaliya	73/1	0.194
3.	Barbri Bhoransa	311	0.133
4.	Dangi Kumariya	272	0.021
5.	Naukund	101	0.175

[F. No. R-31015/1/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 5 फरवरी, 2009

का.आ. 375.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्य प्रदेश राज्य में बीना संस्थान से राजस्थान राज्य में कोटा तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्रीमति भगवन्ती जेठवानी, सक्षम प्राधिकारी, बीना-कोटा पाइपलाइन परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, मकान नं.-17, गांधी नगर, कुसुमोदा चौक, ए. बी. रोड, गुना-473001 (मध्य प्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : गुना		जिला : गुना	राज्य : मध्य प्रदेश
क्रम	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में सं.
(1)	(2)	(3)	(4)
1.	माहर	820	0.0360
		960	0.0360
		842	0.0380
2.	कींदर	202	0.1300
		215	0.1000
3.	सिंगबासा	138 मि	0.4705
		143 मि	0.2085
4.	पुरापोसर	127	0.0800
5.	विशोनिया	103/230	0.1560
6.	सुहाया	307/1/8	0.0845
7.	भूराखेड़ी	120/1/2	0.1365
8.	बनियानी	89	0.1755
		14	0.0020
		50	0.0260
		79	

[फा. सं. आर-31015/11/2008-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 5th February, 2009

S.O. 375.—Whereas it appears to the Central Government that it is necessary in the public interest that

for transportation of petroleum products from Bina terminal in the State of Madhya Pradesh, Pipeline to Kota in the State of Rajasthan should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Smt. Bhagwanti Jethwani, Competent Authority, Bina-Kota Pipeline Project, Bharat Petroleum Corporation Limited, House No. 17, Gandhi Nagar, Kusumoda Chowk, A.B. Road Guana-473001 (Madhya Pradesh).

SCHEDULE

Tehsil : Guna		Distt. : Guna	State : Madhya Pradesh
S.No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Mahar	820	0.0360
		960	0.0360
		842	0.0380
2.	Keendar	202	0.1300
		215	0.1000
3.	Singbasa	138M	0.4705
		143M	0.2085
4.	Puraposar	127	0.0800
5.	Vishonia	103/230	0.1560
6.	Suhaya	307/1/8	0.0845
7.	Bhoorakhedi	120/1/2	0.1365
8.	Baniyani	89	0.1755
		14	0.0020
		50	0.260
		79	

[F. No. R-31015/11/2008-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 13 फरवरी, 2009

का.आ. 376.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2680(अ) तारीख 18 नवम्बर, 2008, जो भारत के राजपत्र तारीख 18 नवम्बर, 2008, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुन्दा से पंजाब राज्य में भठिण्डा तक ग्रूथ ऑयल स्थानान्तरण के लिए मुन्दा - भठिण्डा पाइपलाइन के माध्यम से एचपीसीएल-मिस्तल पाइपलाइन्स लिमिटेड (गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड की समनुषंगी) द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 23 दिसम्बर, 2008, को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का, उक्त रिपोर्ट पर विचार करने के पश्चात, यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगनों से मुक्त होकर एचपीसीएल-मिस्तल पाइपलाइन्स लिमिटेड (गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड की समनुषंगी) में निहित होगा।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अध्याधीन किसी भी क्षतिपूर्ति के लिए एचपीसीएल-मिस्तल पाइपलाइन्स लिमिटेड पूर्णतया उत्तरदायी होगी और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

समूह : अन्वार		जिला कच्छ	राज्य गुजरात		
क्रम सं.	गोब का नाम	सर्वे संख्या	क्षेत्रफल		
1	2	3	हेक्टर	आर	वर्ग मीटर
1	चन्द्रोडा	600	01	06	77
		249	00	08	42
		250	00	01	88
		251/2	00	11	50
		254	00	05	80
		253/2	00	54	96
		268	00	23	10
		266	00	03	46
		267	00	16	02
		271	00	11	76
		272/1	00	09	44
		272/2	00	01	47
		273	00	12	40
		279/1	00	06	23
		279/2	00	03	17
		279/3	00	04	20
		280	00	01	68
		278	00	02	28
		277	00	08	52
		276/1	00	08	48
		282	00	12	51
		283	00	11	68
		सर्वे नंबर 283 व 436 के बीच में रूपानल नदी	00	39	08
		436	00	05	45
		सर्वे नंबर 436 व 422 के बीच में नाला	00	04	94
		422	00	02	26
		421	00	00	76
		सर्वे नंबर 421 व 435/4 के बीच में कार्ट ट्रक	00	02	50
		435/4	00	09	72
		434/1	00	07	21
		434/3	00	03	61
		सर्वे नंबर 434/3 व 444/2 के बीच में कार्ट ट्रक	00	04	47
		444/2	00	09	84
		444/3	00	06	09
		444/4	00	08	13

तालुका : अन्जार		जिला: कच्छ	राज्य: गुजरात		
क्रम सं	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
1	चन्द्रोडा (जारी)	सर्वे नंबर 444/4 व 488 के बीच में कार्ट ट्रक	00	06	60
		488	00	03	65
		487/1	00	07	78
		487/2	00	06	09
		485/1	00	09	78
		485/2	00	04	08
		478	00	04	20
		477	00	02	76
		474	00	14	76
		475/1	00	11	50
		476	00	02	52
		470	00	10	32
		469	00	05	76
		468	00	01	60
		455	00	02	97
		457	00	01	48
		456	00	06	23
2	भुवड	327/4	00	10	91
		327/3	00	02	52
		326	00	06	22
		325	00	08	97
		671	00	45	23
		सर्वे नंबर 325 व 265/1 के बीच में कार्ट ट्रक	00	06	89
		265/1	00	04	76
		सर्वे नंबर 265/1 व 267/2 के बीच में नाला	00	04	63
		267/2	00	04	32
		267/1	00	12	97
		269	00	03	90
		268	00	08	76
		सर्वे नंबर 268 व 276 के बीच में कार्ट ट्रक	00	00	77
		276	00	01	81
		271/3	00	15	86
		271/2	00	03	99
		सर्वे नंबर 271/2 व 275/2 के बीच में कनाल	00	00	79
		275/2	00	07	36

तालिका : अन्जार		जिला कच्छ	राज्य कुलराश		
क्रम सं	गाँव का नाम	सर्वे संख्या	बीच फस		
1	2	3	हक्टर	आर	बर्ग मीटर
2	भुवड (जारी)	275/1	00	08	51
		274	00	05	23
		283	00	09	59
		284	00	17	03
		282/3	00	02	64
		285/1	00	06	94
		286	00	06	81
		सर्वे नंबर 286 व 460/1 के बीच में ढापर रास्ता	00	05	40
		ढापर रास्ता व सर्वे नंबर 460/3 के बीच में नाला	00	10	05
		460/3	00	04	80
		460/2	00	00	21
		सर्वे नंबर 460/2 व 187/1 के बीच में कार्ट ट्रक	00	07	39
		187/1	00	06	25
		सर्वे नंबर 187/1 व 186/1 के बीच में ओढ़ा	00	08	22
		186/1	00	02	42
		सर्वे नंबर 186/1 व 185 के बीच में ओढ़ा	00	06	70
		185	00	06	44
		184	00	01	42
		सर्वे नंबर 184 में ओढ़ा	00	06	02
		684	00	03	59
		166	00	21	89
		692	00	06	12
		165/2	00	07	43
		165/1	00	04	85
		सर्वे नंबर 165/1 व 164 के बीच में ढापर रास्ता	00	04	99
		152	00	05	98
		164	00	00	84
		151/2	00	09	09
		148	00	03	16
		सर्वे नंबर 148 व 151/2 के बीच में नाला	00	01	82
		147	00	12	24
		146	00	02	72
3	खेडोइ मोटी	718	00	41	24
		सर्वे नंबर 718 में नाला	00	01	61

तालिका : अन्जार		जिला कच्छ	राज्य गुजराल		
क्र. सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
1	2	3	हेक्टर	आर	वर्ग मीटर
3	खेडोइ मोटी (जारी)	सर्वे नंबर 718 व 518 के बीच में लेराखा नदी	00	10	49
		518	00	04	76
		501	00	05	04
		500	00	07	50
		502/1	00	07	32
		सर्वे नंबर 502/1 में ढामर रास्ता	00	10	18
		504/1	00	14	07
		सर्वे नंबर 504/1 व 468 के बीच में कार्ट ट्रक	00	00	66
		468	00	02	78
		467	00	17	04
		466	00	06	92
		सर्वे नंबर 509 में ढामर रास्ता	00	04	70
		509	00	12	79
		510/2	00	07	71
		510/1	00	18	79
		सर्वे नंबर 718 में राष्ट्रीय मार्ग भूमी	00	29	54
		295	00	18	44
		298	00	08	65
		299/1	00	04	80
		सर्वे नंबर 718 में ढामर रास्ता	00	09	11
		321	00	29	58
		320	00	05	04
		318	00	02	38
		317	00	04	65
4	सीनुगा	156	00	11	71
		166	00	51	49
		155	00	06	25
		सर्वे नंबर 156 में राष्ट्रीय मार्ग	00	08	88
		134/1	00	20	52
		157	01	26	26
		133/2	00	05	50
		133/1	00	03	70
		141	00	04	16
		सर्वे नंबर 157 व 143/5 के बीच में ढामर रास्ता	00	06	34
		143/4	00	00	76

तालुका : अन्जार		जिला : कच्छ	राज्या : गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			इक्डर	आर	वर्ग मीटर
1	2	3	4	5	6
4	सीनुगा (जारी)	143/5	00	16	11
		144	00	00	48
		145/2	00	13	66
		147/4	00	03	60
		147/3	00	12	26
		147/2	00	03	36
		148/3	00	00	55
		148/2	00	10	63
		148/1	00	02	13
		सर्वे नंबर 148/1 व 16 के बीच में कार्ट ट्रक	00	01	36
		16	00	06	38
		15	00	05	44
		51	00	02	07
		सर्वे नंबर 51 व 50/1 के बीच में कार्ट ट्रक	00	10	49
		50/1	00	18	13
		50/2	00	07	29
		50/3	00	05	25
		50/4	00	02	55
		48	00	04	78
		49	00	09	63
5	खंभरा	149	00	31	87
		258	00	08	45
6	मोटा नागलपर	126/1	00	05	39
		126/2	00	06	32
		सर्वे नंबर 126/2 व सोंग नदी के बीच में कार्ट ट्रक	00	01	19
		सर्वे नंबर 182 में सोंग नदी	00	03	17
		140/3	00	23	94
		140/2	00	07	55
		140/1	00	09	04
		139	00	00	56
		सर्वे नंबर 140 व 161/1 के बीच में कार्ट ट्रक	00	04	30
		161/1	00	20	11
		162	00	09	08
		160	00	11	81
		सर्वे नंबर 171/1 व 159 के बीच में ढापर रास्ता	00	04	05

तालुका : अन्जार		जिला: कच्छ	राज्य: गुजरात		
क्रम सं	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
6	मोटा नागलपर (जागी)	171/1	00	04	34
		171/2	00	01	08
		159/2	00	16	49
		159/1	00	22	17
		158	00	03	42
		173/1	00	14	77
		157/1	00	27	05
		155	00	11	34
		176	00	07	87
		153	00	12	11
		152	00	05	96
		182	00	17	21
7	नागलपुर नाना-2	13	00	09	52
		9	00	49	34
		सर्वे नंबर 9 में सोंग नदी	00	05	26
8	अन्जार	984	00	72	92
		158/2	00	20	51
		142	00	19	07
		141	00	07	28
		140/2	00	09	94
		140/1	00	06	50
		139	00	12	87
		137	00	11	38
		253	00	08	88
		254	00	12	18
		255	00	16	75
		सर्वे नंबर 254 व 260 के बीच में राज्य मार्ग	00	20	84
		260	00	01	91
		266	00	20	84
		267	00	00	98
		270	00	21	83
		271	00	14	10
		302	00	07	81
		301	00	04	13

तालुका : अन्जार		जिला : कच्छ	राज्य : गुजरात		
क्रम सं	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
8	अन्जार (जारी)	300	00	11	90
	सर्वे नंबर 300 व 306 के बीच में ढामर रास्ता		00	03	24
	306		00	03	66
	307		00	07	100
	308/1		00	11	31
	308/3		00	01	23
	375		00	09	75
	374		00	02	91
	388/1		00	11	33
	388/2		00	19	35
	389		00	03	27
	सर्वे नंबर 388/2 व 417 के बीच में रेल लाइन		00	05	78
	417		00	18	87
	421		00	08	13
	422		00	32	16
	424		00	00	25
	423		00	14	69
	सर्वे नंबर 423 व 451 के बीच में राज्य मार्ग		00	10	80
	451		00	01	28
	450		00	28	25
	449		00	07	61
	448/2		00	10	11
	447/3		00	03	81
	447/4		00	10	44
	444/1		00	03	42
	444/2		00	05	43
	443/1		00	12	99
	443/2		00	10	73
	442		00	08	19
	441		00	06	25
	सर्वे नंबर 441 व 494/2 के बीच में मेटल्ड रास्ता		00	21	09
	494/2		00	13	76
	494/1		00	14	12
	495		00	62	53
	497		00	14	89
	498		00	31	31
	499		00	07	65

तालुका : अन्जार		जिला : कच्छ	राज्य : गुजरात		
क्रम सं	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
9	मीठा पसवारीया	162	00	04	49
		101	00	17	85
		102	00	17	19
		104/1	00	35	07
		88/1	00	10	63
		88/2	00	10	92
		87	00	36	06
		86/2	00	05	13
		सर्वे नंबर 86/2 व गाँव सीमा के बीच में चुरवा नदी	00	02	60
		212	00	93	85
10	खारा पसवारीया	234	00	01	43
		175	00	11	60
		174	00	49	37
		235	00	08	84
		सर्वे नंबर 235 में ढापर रास्ता	00	07	66
		196/3	00	22	100
		197/2	00	29	100
		196/1	00	01	20
		197/1	00	43	48
		199	00	00	91
		198	00	24	91
		सर्वे नंबर 204 में नाला	00	03	68
		204	00	36	82
		4	00	08	85
		5	00	13	35
		47	00	04	30
		46	00	24	74
		52	00	09	83
		51	00	12	46
		63	00	09	09
		62	00	00	42
		64	00	07	19
		65	00	00	42
		85	00	05	61

तालिका : अन्जार		जिला कच्छ	राज्य गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			इक्कर	आर	बर्ग मीटर
1	2	3	4	5	6
10	खारा पसवारीया (जारी)	86	00	09	79
		222	00	22	86
		118	00	08	05
11	अजापर	319	00	12	59
		296	00	08	87
		295	00	07	38
		293	00	05	16
		292/2	00	03	32
		292/1	00	08	61
		278	00	05	33
		284	00	06	08
		279	00	00	42
		283	00	05	70
		225	00	00	50
		224	00	38	84
		227	00	02	02
		228	00	02	66
		232	00	01	55
		231	00	05	18
		230	00	13	29
		सर्वे नंबर 230 व 185 के बीच में कार्ट ट्रक	00	04	62
		185	00	08	78
		186	00	02	17
		182	00	13	64
		181	00	08	25
		171	00	03	54
		180	00	18	60
		175	00	12	87
		174	00	05	78
		161	00	07	21
		162	00	18	20
12	भीमासर	622	00	04	81
		623	00	08	14
		624	00	05	93

तालुका : अन्जार		जिला: कच्छ	राज्य: गुजरात		
क्रम सं	गाँव का नाम	सर्वे सँख्या	क्षेत्रफल		
			इक्तर	आर	वर्गमीटर
1	2	3	4	5	6
12	भीमासर (जारी)	625/2	00	02	45
		626	00	02	39
		627	00	05	36
		सर्वे नंबर 627 में ढामर रास्ता	00	07	42
		सर्वे नंबर 785 पै में भेटल्ड रास्ता	00	02	41
		628	00	49	80
		785	00	18	07
		671	00	07	76
		670	00	25	09
		664	00	05	17
		665	00	17	43
		715	00	18	52
		717	00	10	60
		सर्वे नंबर 717 व 742 के बीच में नाला	00	03	78
		742	00	01	82
		741	00	15	82
		740	00	04	17
		731	00	01	24
		732	00	22	37
		733	00	05	05
		737	00	03	77
		736	00	06	08
		सर्वे नंबर 736 व 777 के बीच में ओढा	00	04	87
		777	00	07	40
		776	00	07	58
		सर्वे नंबर 785 पै व 35 के बीच में ढामर रास्ता	00	05	77
		35	00	08	15
		36	00	13	17
		40/1	00	08	76
		39	00	20	85
		17	00	13	76
		787	00	04	70
		79	00	26	72
		81	00	12	79
		80	00	05	90
		82	00	13	52

तालुका : अन्जार		जिला: कच्छ	राज्य: गुजरात		
क्रम सं.	गोंव का नाम	सर्वे सँख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
12	भीमासर (जारी)	91	00	21	99
		89	00	02	62
		सर्वे नंबर 89 व 93 के बीच में नाला	00	05	87
		93	00	12	09
		95	00	15	98
		98/2	00	05	41
		सर्वे नंबर 98/2 व 101 के बीच में दामर रास्ता	00	16	92
		101	00	05	38
		100	00	07	71
		99	00	30	93
13	पसुडा	305	00	08	63
		306	00	08	18
		308	00	00	43
		334	00	14	39
		335	00	03	47
		332	00	10	44
		336	00	06	67
		337	00	03	63
		338/1	00	05	15
		342	00	09	35
		346	00	02	61
		327/2	00	00	20
		327/1	00	08	24
		326	00	04	86
		325	00	03	50
		348	00	16	28
		349	00	06	92
		352	00	02	53
		371/3	00	03	78
		368/1	00	01	22
		368/2	00	05	72
		366	00	14	28
		363	00	18	09
		380	01	35	17
		सर्वे नंबर 30 में नाला	00	02	67

तालुका : अन्जार		जिला: कच्छ	राज्य: गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	अर	वर्ग मीटर
1	2	3	4	5	6
13	पसुडा (जारी)	30	00	17	33
		31	00	02	41
		34	00	11	71
		33	00	13	84

[फा. सं. आर-31015/31/2008-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 13th February, 2009

S. O. 376.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.2680(E) dated the 18th November, 2008, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India dated the 18th November, 2008, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for evacuation of Crude Oil from Mundra in the State of Gujarat to Bathinda in the State of Punjab through Mundra – Bathinda Pipeline by HPCL - Mittal Pipelines Limited, (a subsidiary of Guru Gobind Singh Refineries Limited);

And whereas copies of the said Gazette notification were made available to the public on the 23rd December, 2008;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying this pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of this declaration, in HPCL - Mittal Pipelines Limited, (a subsidiary of Guru Gobind Singh Refineries Limited) free from all encumbrances.

HPCL - Mittal Pipelines Limited shall be exclusively liable for any compensation in terms of Section 10 of the P&MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE					
Taluka : ANJAR		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
1	CHANDRODA	600	01	06	77
		249	00	08	42
		250	00	01	88
		251/2	00	11	50
		254	00	05	80
		253/2	00	54	96
		268	00	23	10
		266	00	03	46
		267	00	16	02
		271	00	11	76
		272/1	00	09	44
		272/2	00	01	47
		273	00	12	40
		279/1	00	06	23
		279/2	00	03	17
		279/3	00	04	20
		280	00	01	68
		278	00	02	28
		277	00	06	52
		276/1	00	08	48
		282	00	12	51
		283	00	11	68
		Rupanal river in between Survey number 283 and 436	00	39	08
		436	00	05	45
		Nala in between Survey number 436 and 422	00	04	94
		422	00	02	28
		421	00	00	76
		Cart track in between Survey number 421 and 435/4	00	02	50
		435/4	00	09	72
		434/1	00	07	21
		434/3	00	03	61
		Cart track in between Survey number 434/3 and 444/2	00	04	47
		444/2	00	09	84
		444/3	00	06	09
		444/4	00	06	13

Taluka : ANJAR		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1	CHANDRODA (Contd.)	Cart track in between Survey number 444/4 and 488	00	06	60
		488	00	03	65
		487/1	00	07	78
		487/2	00	06	09
		485/1	00	09	78
		485/2	00	04	08
		478	00	04	20
		477	00	02	76
		474	00	14	76
		475/1	00	11	50
		476	00	02	52
		470	00	10	32
		469	00	05	76
		468	00	01	60
		455	00	02	97
		457	00	01	48
		456	00	06	23
2	BHUVAD	327/4	00	10	91
		327/3	00	02	52
		326	00	06	22
		325	00	08	97
		671	00	45	23
		Cart track in between Survey number 325 and 265/1	00	06	89
		265/1	00	04	78
		Nala in between Survey number 265/1 and 267/2	00	04	63
		267/2	00	04	32
		267/1	00	12	97
		269	00	03	90
		268	00	08	78
		Cart track in between Survey number 268 and 276	00	00	77
		276	00	01	81
		271/3	00	15	86
		271/2	00	03	99
		Canal in between Survey number 271/2 and 275/2	00	00	79
275/2	00	07	36		

Taluka : ANJAR		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
2	BHUVAD (Contd.)	275/1	00	08	51
		274	00	05	23
		283	00	09	59
		284	00	17	03
		282/3	00	02	64
		285/1	00	06	94
		286	00	06	81
		Asphalted road in between Survey number 286 and 460/1	00	05	40
		Nala in between Asphalted Road and 460/3	00	10	05
		460/3	00	04	80
		460/2	00	00	21
		Cart track in between Survey number 460/2 and 187/1	00	07	39
		187/1	00	06	25
		Stream in between Survey number 187/1 and 186/1	00	08	22
		186/1	00	02	42
		Stream in between Survey number 186/1 and 185	00	06	70
		185	00	06	44
		184	00	01	42
		Stream in Survey number 184	00	06	02
		684	00	03	59
		166	00	21	89
		692	00	06	12
		165/2	00	07	43
		165/1	00	04	85
		Asphalted road in between Survey number 165/1 and 164	00	04	99
		152	00	05	98
		164	00	00	84
		151/2	00	09	09
		148	00	03	16
		Nala in between Survey number 148 and 151/2	00	01	82
		147	00	12	24
		146	00	02	72
3	KHEDO I MOTI	718	00	41	24
		Nala in Survey number 718	00	01	61

Taluka : ANJAR		District : KUTCH		State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
3	KHEDOJ MOTI (Contd.)	Lerakh river in between Survey number 718 and 518	00	10	49	
		518	00	04	76	
		501	00	05	04	
		500	00	07	50	
		502/1	00	07	32	
		Asphalted road in Survey number 502/1	00	10	18	
		504/1	00	14	07	
		Cart track in between Survey number 504/1 and 468	00	00	66	
		468	00	02	78	
		467	00	17	04	
		466	00	06	92	
		Asphalted road in Survey number 509	00	04	70	
		509	00	12	79	
		510/2	00	07	71	
		510/1	00	18	79	
		National Highway land in Survey number 718	00	29	54	
		295	00	18	44	
		298	00	08	65	
		299/1	00	04	80	
		Asphalted road in Survey number 718	00	09	11	
		321	00	29	58	
		320	00	05	04	
		318	00	02	38	
		317	00	04	85	
4	SINUGRA	156	00	11	71	
		166	00	51	49	
		155	00	06	25	
		National Highway in Survey number 156	00	08	88	
		134/1	00	20	52	
		157	01	26	26	
		133/2	00	05	50	
		133/1	00	03	70	
		141	00	04	16	
		Asphalted road in between Survey number 157 and 143/5	00	06	34	
		143/4	00	00	76	

Taluka : ANJAR		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
4	SINUGRA (Contd.)	143/5	00	18	11
		144	00	00	48
		145/2	00	13	68
		147/4	00	03	60
		147/3	00	12	28
		147/2	00	03	36
		148/3	00	00	55
		148/2	00	10	63
		148/1	00	02	13
		Cart track in between Survey number 148/1 and 16	00	01	36
		16	00	08	38
		15	00	05	44
		51	00	02	07
		Cart track in between Survey number 51 and 50/1	00	10	49
		50/1	00	18	13
		50/2	00	07	29
		50/3	00	05	25
		50/4	00	02	55
		48	00	04	78
		49	00	09	63
5	KHAMBHARA	149	00	31	87
		258	00	08	45
6	MOTA-NAGALPAR	126/1	00	05	39
		126/2	00	06	32
		Cart track in between Survey number 126/2 and Song River	00	01	19
		Song river in Survey number 182	00	03	17
		140/3	00	23	94
		140/2	00	07	55
		140/1	00	09	04
		139	00	00	56
		Cart track in between Survey number 140 and 161/1	00	04	30
		161/1	00	20	11
		162	00	09	08
		160	00	11	81
		Asphalted road in between Survey number 171/1 and 159	00	04	05

Taluka : ANJAR		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
6	MOTA-NAGALPAR (Contd.)	171/1	00	04	34
		171/2	00	01	08
		159/2	00	16	49
		159/1	00	22	17
		158	00	03	42
		173/1	00	14	77
		157/1	00	27	05
		155	00	11	34
		176	00	07	87
		153	00	12	11
		152	00	05	96
		182	00	17	21
7	NAGALPUR NANA - 2	13	00	09	52
		9	00	49	34
		Song river in Survey number 9	00	05	26
8	ANJAR	984	00	72	92
		158/2	00	20	51
		142	00	19	07
		141	00	07	28
		140/2	00	09	94
		140/1	00	06	50
		139	00	12	87
		137	00	11	38
		253	00	08	88
		254	00	12	18
		255	00	16	75
		State Highway in between Survey number 254 and 260	00	20	84
		260	00	01	91
		266	00	20	84
		267	00	00	98
		270	00	21	83
		271	00	14	10
		302	00	07	81
		301	00	04	13

Taluka : ANJAR		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
8	ANJAR (Contd.)	300	00	11	90
		Asphalted road in between Survey number 300 and 306	00	03	24
		306	00	03	66
		307	00	07	100
		308/1	00	11	31
		308/3	00	01	23
		375	00	09	75
		374	00	02	91
		388/1	00	11	33
		388/2	00	19	35
		389	00	03	27
		Railway line in between Survey number 388/2 and 417	00	05	78
		417	00	18	87
		421	00	08	13
		422	00	32	16
		424	00	00	25
		423	00	14	69
		State Highway in between Survey number 423 and 451	00	10	80
		451	00	01	28
		450	00	28	25
		449	00	07	61
		448/2	00	10	11
		447/3	00	03	81
		447/4	00	10	44
		444/1	00	03	42
		444/2	00	05	43
		443/1	00	12	99
		443/2	00	10	73
		442	00	08	19
		441	00	06	25
		Metalled road in between Survey number 441 & 494/2	00	21	09
		494/2	00	13	76
		494/1	00	14	12
		495	00	62	53
		497	00	14	89
		498	00	31	31
		499	00	07	85

Taluka : ANJAR		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
9	MITHA PASWARIA	162	00	04	49
		101	00	17	85
		102	00	17	19
		104/1	00	35	07
		88/1	00	10	63
		88/2	00	10	92
		87	00	36	06
		86/2	00	05	13
		Churwa river in between Survey number 86/2 & Village Boundary	00	02	80
		212	00	93	35
10	KHARA PASWARIA	234	00	01	43
		175	00	11	60
		174	00	49	37
		235	00	08	84
		Asphalted road in Survey number 235	00	07	66
		196/3	00	22	100
		197/2	00	29	100
		196/1	00	01	20
		197/1	00	43	48
		199	00	00	91
		198	00	24	91
		Nala in Survey number 204	00	03	88
		204	00	36	82
		4	00	08	85
		5	00	13	35
		47	00	04	30
		46	00	24	74
		52	00	09	83
		51	00	12	46
		63	00	09	09
		62	00	00	42
		64	00	07	10
		65	00	00	42
		85	00	05	51

Taluka : ANJAR		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
10	KHARA PASWARIA (Contd.)	86	00	09	79
		222	00	22	86
		118	00	08	05
11	AJAPAR	319	00	12	59
		296	00	08	87
		295	00	07	38
		293	00	05	16
		292/2	00	03	32
		292/1	00	08	61
		278	00	05	33
		284	00	06	08
		279	00	00	42
		283	00	05	70
		225	00	00	50
		224	00	38	84
		227	00	02	02
		228	00	02	66
		232	00	01	55
		231	00	05	18
		230	00	13	29
		Cart track in between Survey number 230 and 185	00	04	62
		185	00	08	78
		186	00	02	17
		182	00	13	64
		181	00	08	25
		171	00	03	54
		180	00	18	60
		175	00	12	87
		174	00	05	78
		161	00	07	21
		162	00	18	20
12	BHIMASAR	622	00	04	81
		623	00	08	14
		624	00	05	93

Taluka : ANJAR		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
12	BHIMASAR (Contd.)	625/2	00	02	45
		626	00	02	39
		627	00	05	36
		Asphalted road in Survey number 627	00	07	42
		Metalled road in Survey number 785P2	00	02	41
		628	00	49	80
		785	00	18	07
		671	00	07	76
		670	00	25	09
		664	00	05	17
		665	00	17	43
		715	00	18	52
		717	00	10	60
		Nala in between Survey number 717 and 742	00	03	78
		742	00	01	82
		741	00	15	82
		740	00	04	17
		731	00	01	24
		732	00	22	37
		733	00	05	05
		737	00	03	77
		736	00	06	08
		Stream in between Survey number 736 and 777	00	04	87
		777	00	07	40
		776	00	07	58
		Asphalted road in between Survey number 785P and 35	00	05	77
		35	00	08	15
		36	00	13	17
		40/1	00	08	76
		39	00	20	85
		17	00	13	76
		787	00	04	70
		79	00	26	72
		81	00	12	79
		80	00	05	90
		82	00	13	52

Taluka : ANJAR		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
12	BHIMASAR (Contd.)	91	00	21	99
		89	00	02	62
		Nala in between Survey number 89 and 93	00	05	87
		93	00	12	09
		95	00	15	98
		98/2	00	05	41
		Asphalted road in between Survey number 98/2 and 101	00	16	92
		101	00	05	38
		100	00	07	71
		99	00	30	93
13	PASUDA	305	00	06	63
		306	00	08	18
		308	00	00	43
		334	00	14	39
		335	00	03	47
		332	00	10	44
		336	00	06	67
		337	00	03	63
		338/1	00	05	15
		342	00	09	35
		346	00	02	61
		327/2	00	00	20
		327/1	00	08	24
		326	00	04	86
		325	00	03	50
		348	00	16	28
		349	00	06	92
		352	00	02	53
		371/3	00	03	78
		368/1	00	01	22
		368/2	00	05	72
		366	00	14	28
		363	00	18	09
		380	01	35	17
		Nala in Survey number 30	00	02	67

Taluka : ANJAR		District : KUTCH		State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area			
			Hectare	Acre	Sq.mtr.	
1	2	3	4	5	6	
13	PASUDA (Contd.)	30	00	17	33	
		31	00	02	41	
		34	00	11	71	
		33	00	13	84	

IF No R-31015/31/2008-O.R.-II

[F. No. R-31015/31/2008-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 13 फरवरी, 2009

का. आ. 377.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2679(अ) तारीख 18 नवम्बर, 2008, जो भारत के राजपत्र तारीख 18 नवम्बर, 2008, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुन्दा से पंजाब राज्य में भठिण्डा तक क्रूड ऑयल स्थानान्तरण के लिए मुन्दा - भठिण्डा पाइपलाइन के माध्यम से एचपीसीएल-मित्तल पाइपलाइन्स लिमिटेड (गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड की समनुषंगी) द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 10 जनवरी, 2009, को उपलब्ध करा दी गई थी ;.

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का, उक्त रिपोर्ट पर विचार करने के पश्चात, यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगनों से मुक्त होकर एचपीसीएल-मित्तल पाइपलाइन्स लिमिटेड (गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड की समनुषंगी) में निहित होगा।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अध्याधीन किसी भी क्षतिपूर्ति के लिए एचपीसीएल-मित्तल पाइपलाइन्स लिमिटेड पूर्णतया उत्तरदायी होगी और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची					
तालुका : मधाऊ		जिला : कच्छ	राज्य : गुजरात		
क्रम सं	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
1	2	3	इक्डर	आर	वर्ग मीटर
1	2	3	4	5	6
1	मोटी वीरड	855	00	00	99
		856	00	09	13
		857	00	07	87
		858	00	04	10
		651	00	09	06
		1003	00	32	18
		650/3	00	06	71
		650/2	00	01	62
		सर्वे नंबर 650/2 व 649 के बीच में नाला	00	03	49
		649	00	05	48
		सर्वे नंबर 1003 में सकरा नदी	00	19	19
		681	00	10	64
		682	00	13	27
		691	00	09	48
		690	00	11	46
		699/1	00	15	57
		सर्वे नंबर 699/1 व 739 के बीच में कार्ट ट्रक	00	02	53
		739	00	05	27
		740/1	00	12	20
		816	00	03	50
		817	00	13	47
		820	00	03	73
		819	00	04	67
		823	00	26	51
		824	00	12	94
		810	00	14	85
		809/1	00	03	52
		771	00	06	92
		808	00	05	69
		789	00	17	49
		788	00	05	67
		787	00	05	43
		792	00	00	99
		786/2	00	17	01
		795	00	06	85

तालुका : भचाऊ		जिला: कच्छ	राज्या गुजरात		
क्रम सं	गोंव का नाम	सर्वे संख्या	क्षेत्रफल		
			इक्तर	आर	वर्ग-इक्तर
1	2	3	4	5	6
1	मोटी चीरड़ (जारी)	796	00	05	10
		797	00	08	78
		798/2	00	02	50
		सर्वे नंबर 798/2 व 896 के बीच में नाला	00	01	18
		896	00	15	48
		897/2	00	02	94
		898/1	00	13	98
			00	00	00
2	लुणवा	385/1	00	06	99
		393/2	00	03	27
		392/2	00	05	95
		392/1	00	06	14
		391/2	00	08	23
		390/1	00	04	76
		390/2	00	02	12
		सर्वे नंबर 390/2 व 223/1 के बीच में कार्ट ट्रक	00	03	70
		223/1	00	00	79
		223/2	00	02	21
		483/1	00	75	33
		222/1	00	00	99
		सर्वे नंबर 483/1 में नाला	00	06	78
		222/3	00	02	98
		226	00	04	26
		सर्वे नंबर 226 व 238/2 के बीच में कार्ट ट्रक	00	05	51
		238/2	00	09	88
		235/1	00	31	84
		235/3	00	18	60
		235/2	00	18	05
		234	00	03	46
		233	00	02	13
		231/2	00	00	46
		सर्वे नंबर 483/1 में ढापर रास्ता	00	07	09
		242/3	00	26	26
		242/2	00	00	46
		246/2	00	23	28
		247	00	38	81

तालुका : भवाक		जिला: कच्छ	राज्य: गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
1	2	3	इक्तर	आर	वर्ग मीटर
2	लुणवा (जारी)	सर्वे नंबर 483/1 में नाला	00	04	81
		251/2	00	17	58
		251/1	00	00	46
		252	00	36	47
		254	00	34	78
		255	00	12	67
		186	00	06	79
		187	00	00	93
		185	00	18	00
		483/21	00	10	13
		178	00	12	79
		483/22	00	09	96
		483/18	00	01	98
		483/17	00	22	69
		483/16	00	09	72
		171	00	10	62
		170	00	10	21
		169	00	06	62
		168	00	25	44
		166	00	12	94
		165	00	34	71
		483/14	00	15	24
		सर्वे नंबर 483/14 व गाँव सीमा के बीच में कार्ट द्राक	00	08	19
3	चोपडवा	गाँव सीमा व सर्वे नंबर 96/1 के बीच में कार्ट द्राक	00	05	18
		96/1	00	25	42
		96/2	00	03	35
		98	00	35	15
		100	00	31	89
		104	00	31	38
		106	00	16	99
		107	00	23	61
		108	00	32	02
		131	00	01	65
		133	00	05	50
		सर्वे नंबर 133 में दामर रास्ता	00	11	48

तालुका : भचाऊ		जिला कच्छ	राज्य गुजरात		
क्रम सं	गोंव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
4	भचाऊ	919/2	00	08	68
		919/1	00	23	26
		921/1	00	18	07
		921/2	00	11	84
		921/3	00	09	41
		924	00	39	23
		923/2	00	07	17
		929	00	58	95
		सर्वे नंबर 929 में मेटल्ड रास्ता	00	05	58
		930	00	05	98
		902	00	47	25
		901	00	37	84
		896	00	43	96
		895	00	13	50
		894	00	01	77
		893	00	31	75
		891	00	01	67
		892	00	16	78
		885	00	11	94
		889	00	07	81
		888	00	11	08
		887	00	03	69
		886	00	01	81
		सर्वे नंबर 887 व 834 के बीच में कार्ट ट्रक	00	00	46
		834	00	19	01
		833/1	00	24	19
		832	00	00	99
		831	00	14	29
		837	00	08	48
		840	00	19	71
		2000	00	73	56
		844	00	25	45
		845/1	00	19	04
		846	00	63	98
		850	00	70	73
		851	00	04	71

तालुका : भचाऊ		जिला : कच्छ	राज्य : गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
4	भचाऊ (जारी)	852/1	00	27	83
		716/2	00	08	86
		716	00	09	35
		707/2	00	02	26
		708/1	00	10	83
		708/1	00	05	08
		708/2	00	01	28
		708/3	00	02	22
		703/1	00	17	74
		703/2	00	08	97
		702/1	00	07	08
		702/3	00	00	46
		701/3	00	05	30
		702/2	00	03	36
		सर्वे नंबर 702/2 व 584/1 के बीच में छमर रास्ता	00	03	42
		584/1	00	07	13
		584/3	00	03	43
		584/4	00	04	04
		587	00	08	98
		सर्वे नंबर 587 व 599/2 के बीच में कार्ट ट्रक	00	03	84
		599/2	00	02	37
		599/1	00	07	66
		609/1	00	05	92
		609/3	00	11	39
		सर्वे नंबर 609/3 व 504 के बीच में कार्ट ट्रक	00	11	45
		504	00	05	48
		603/1	00	14	50
		501	00	05	52
		500/2	00	16	78
		500/1	00	17	66
		सर्वे नंबर 531/1 में कार्ट ट्रक	00	03	76
		499/3	00	16	47
		499/2	00	06	72
		सर्वे नंबर 499/2 व 97/4 के बीच में राज्य मार्ग	00	06	11
		97/4	00	17	16
		97/1	00	19	45

तालुका : भचाऊ		जिला : कच्छ	राज्य : गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
4	भचाऊ (जारी)	98	00	07	14
		95	00	00	55
		सर्वे नंबर 96 व 90/1 के बीच में कार्ट ट्रक	00	05	48
		90/1	00	03	53
		91/2	00	09	79
		91/1	00	29	17
		117/1	00	00	55
		116	00	10	73
		सर्वे नंबर 116 व 126 के बीच में कार्ट ट्रक	00	06	98
		125	00	10	67
		127	00	09	44
5	बोंध	432/4	00	12	02
		432/5	00	01	89
		सर्वे नंबर 432/5 व 425 के बीच में डामर रास्ता	00	03	64
		425	00	26	30
		426/3	00	02	13
		423/1	00	00	55
		421/1	00	06	07
		420	00	07	82
		419/3	00	05	55
		418/1	00	16	27
		417	00	07	75
		415	00	04	61
		414	00	07	66
		403	00	07	53
		402/1	00	03	62
		401/2	00	02	87
		401/1	00	03	59
		398	00	02	26
		400/1	00	02	12
		400/2	00	06	28
		382	00	12	62
		380/3	00	10	95
		380/2	00	01	62
		380/1	00	10	77

तालुका : मधाऊ		जिल्हा कच्छ	राज्या: गुजरात		
क्रम सं	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
1	2	3	हेक्टर	आर	वर्ग मीटर
4	5	6			
5	वोध (जारी)	367/1	00	03	93
		368/1	00	00	55
		368/2	00	17	74
		सर्वे नंबर 368/2 व 349 के बीच में कार्ट ट्रक	00	03	40
		349	00	11	10
		347	00	01	34
		351/3	00	04	11
		351/4	00	05	68
		सर्वे नंबर 351/4 व 339/1 के बीच में कार्ट ट्रक	00	03	51
		339/1	00	06	50
		345/1	00	11	39
		342	00	02	96
		343	00	04	99
		321/1	00	14	34
		320/1	00	00	91
		320/3	00	00	59
		320/2	00	03	52
		322/2	00	13	12
		322/1	00	11	80
		सर्वे नंबर 322/1 व 264/3 के बीच में कार्ट ट्रक	00	15	46
		317/1	00	00	99
		264/1	00	06	02
		264/2	00	16	80
		264/3	00	17	47
		265	00	14	58
		266	00	07	15
		269/1	00	42	17
		267/2	00	23	35
		243/1	00	06	53
		243/2	00	22	20
		241/1	00	06	43
		236	00	20	18
		237	00	09	48
		190	00	05	20
		189/2	00	09	73
		सर्वे नंबर 189/2 व 184 के बीच में कार्ट ट्रक	00	05	91

तालिका : बचक		जिला बचक	राज्य गुजरात		
क्रम सं	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			इक्कर	आर	कल मीटर
1	2	3	4	5	6
5	वोंध (जारी)	184	00	03	90
		185	00	07	74
		186/4	00	16	87
		सर्वे नंबर 186/4 व 132/1 के बीच में कार्ट ट्रक	00	04	25
		132/1	00	15	35
		1421/1	00	14	26
		131/1	00	07	28
		131/2	00	08	80
		130	00	09	80
		129	00	16	28
		सर्वे नंबर 129 व गाँव सीमा के बीच में कार्ट ट्रक	00	01	28
			00	00	00
6	वोंधडा	310/1	00	08	06
		310/2	00	05	74
		310/3	00	08	96
		305	00	13	32
		304/2	00	08	16
		304/3	00	01	32
		304/1	00	19	84
7	विजपासर	20	00	03	87
		19	00	10	26
		18	00	16	51
		9/1	00	14	34
		9/2	00	07	72
		सर्वे नंबर 9/2 व 5 के बीच में कार्ट ट्रक	00	06	83
		5	00	14	06
		4/2	00	05	52
		सर्वे नंबर 4/2 व 88 के बीच में कार्ट ट्रक	00	03	04
		88	00	09	30
		सर्वे नंबर 88 व 77 के बीच में कार्ट ट्रक	00	06	29
		77	00	07	81
		76	00	23	84
		सर्वे नंबर 76 व 92/3 के बीच में छमर रास्ता	00	07	02
		92/3	00	12	52
		93/3	00	16	23

क्र.सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			राज्य गुजरात		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
7	विजयसर (जारी)	95	00	06	20
		सर्वे नंबर 95 व 245/1 के बीच में नाला	00	05	49
		246	00	00	77
		245/1	00	06	66
		245/2	00	05	54
		सर्वे नंबर 245/2 व 252/1 के बीच में कार्ट ट्रक	00	07	85
		252/1	00	07	84
		253	00	12	44
		257	00	09	46
		258	00	00	73
		265	00	15	13
		266/2	00	05	49
		266/1	00	03	65
		270/1ब	00	05	74
		272/1	00	06	43
		272/2	00	06	52
		275	00	04	55
		277/2	00	02	79
		278	00	11	94
		283/2	00	11	46
		284	00	12	03
		289	00	03	16
		198/1	00	02	93
		198/2ब	00	13	52
8	लखपत	199	00	10	14
		207/1	00	08	90
		200	00	02	88
		197	00	13	10
		196	00	09	68
		195/2	00	07	42
		194/1	00	05	05
		194/2	00	10	64
		176	00	35	20
		177/1	00	07	76
		सर्वे नंबर 177/1 व 150/2 के बीच में कार्ट ट्रक	00	10	50

तालुका : भचाऊ		जिला: कच्छ	राज्य: गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
8	लखपत (जारी)	150/2	00	02	81
		150/3	00	09	98
		149	00	11	71
		148	00	10	41
		सर्वे नंबर 148 व 62 के बीच में कार्ट ट्रक	00	05	12
		62	00	25	77
		67	00	17	42
		59/2	00	16	28
		58	00	32	21
		56	00	08	53
		55	00	12	46
		54/1	00	10	27
		54/2	00	04	40
		1242	00	04	53
		43	00	01	36
		41	00	03	36
		42	00	03	30
9	अधोई	गाँव सीमा व सर्वे नंबर 869 के बीच में अधोई नदी	00	10	47
		869	00	02	90
		870/4	00	08	31
		1242	00	03	13
		783/2	00	11	73
		783/1	00	01	32
		782/2	00	05	86
		782/1	00	06	46
		781/2	00	07	36
		787	00	09	75
		सर्वे नंबर 787 व 657/1 के बीच में कार्ट ट्रक	00	04	57
		657/1	00	13	62
		657/2	00	09	09
		655	00	13	70
		654	00	11	83
		628/2	00	03	87
		650	00	05	18
		631	00	15	92

तालुका : भचाऊ		जिला: कच्छ	राज्य: गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
1	2	3	हेक्टर	आर	वर्ग मीटर
4	5	6			
9	अधोई (जारी)	634	00	18	61
		633	00	08	85
		614	00	04	72
		615	00	10	14
		600	00	22	86
		602	00	25	74
		सर्वे नंबर 602 व 387/1 के बीच में ढामर रास्ता	00	13	21
		387/1	00	04	99
		391/1	00	16	77
		394	00	00	66
		393	00	15	29
		397/1	00	09	75
		400/5	00	05	67
		400/2	00	00	83
		403/1	00	00	55
		402	00	19	87
		434/1	00	10	56
		434/2	00	15	53
		430/1	00	12	55
		428	00	24	34
		424/1	00	04	85
		424/2	00	04	02
		416/1	00	13	18
		417	00	06	04
		322	00	10	48
		320/2	00	00	83
		321/3	00	04	59
		321/4	00	06	11
		321/2	00	07	21
		सर्वे नंबर 321/2 व 301 के बीच में ढामर रास्ता	00	04	52
		301	00	01	89
		300	00	08	36
		302	00	05	33
		297	00	18	42
		296/1	00	06	26
		295/1	00	10	73
		285/2	00	09	37

तालुका : मधाऊ		जिला : कच्छ	राज्य : गुजरात		
क्रम सं.	गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
9	अधोई (जारी)	285/1	00	03	10
		सर्वे नंबर 285/2 व 286 के बीच में नाला	00	02	52
		286	00	07	91
10	गमडाऊ	34/1	00	14	68
		34/3	00	03	51
11	शिवलखा	983	00	00	99
		984	00	13	05
		986/2	00	03	68
		985	00	03	61
		987	00	05	45
		988	00	16	79
		1014	00	04	75
		1012	00	00	73
		1013	00	29	05
		सर्वे नंबर 1013 व 1026 के बीच में नाला	00	07	93
		1026	00	03	06
		1027	00	06	36
		1028	00	05	59
		1034	00	07	94
		1033	00	03	20
		1032	00	09	63
		1057	00	15	63
		1317/4	01	42	65
		1071/1	00	04	89
		1070	00	06	11
		1066	00	09	41
		1065/1	00	04	25
		1065/2	00	04	24
		1067/1	00	06	73
		सर्वे नंबर 1067/1 व 1114 के बीच में नाला	00	00	73
		1115/2	00	00	55
		1114	00	09	57
		1106	00	10	34
		1105/3	00	04	64
		1116	00	13	86

तालिका : पञ्जाब		जिला: कच्छ	सर्वेक्षण		
क्र.सं.	गाँव का नाम	सर्वे संख्या	इक्तर	आर	वर्ग मीटर
1	2	3	4	5	6
11	शिवलखा (जारी)	1117	00	00	99
		1118/1	00	14	41
		1103	00	12	72
	सर्वे नंबर 1103 व 1124/1 के बीच में नाला		00	00	48
		1124/1	00	06	66
		1124/2	00	11	72
		1129/1	00	10	96
		1128	00	01	56
		1159	00	04	90
	सर्वे नंबर 1159 व 1161/1 के बीच में नाला		00	00	97
		1161/1	00	12	66
		1167	00	13	81
		1166	00	06	15
		1165/2	00	04	22
	सर्वे नंबर 1165/2 व 1172 के बीच में नाला		00	10	54
		1172	00	07	77
		1173	00	07	98
		1176/1	00	05	56
		1179/2	00	08	12
		1178	00	01	33
		1179/1	00	03	64
		1229	00	09	02
		1228	00	03	59
		1230	00	05	13
		1235/1	00	03	17
		1234/2	00	04	31
		1236	00	05	88
		1237	00	03	58
		1239/3	00	00	83
		1239/2	00	06	47
		1241/2	00	04	35
		1242/2	00	03	21
		1243	00	02	04
		1207/1	00	02	27
		1206/3	00	06	55
	सर्वे नंबर 1206/3 व 1249/1 के बीच में कर्ट ट्रक		00	01	83

संख्या १ कलक		मिलान कलक	राज्य गुजरात		
सं. १	सर्वे का नाम	सर्वे संख्या	क्षेत्रफल		
१	२	३	हेक्टर	आर	वर्ग मीटर
11	विशालका (जारी)	1248/1	00	01	16
		1248/2	00	13	19
		1249/2	00	00	66
		1248	00	04	96
		1247	00	00	83
		सर्वे नंबर 1248 व 79/2 के बीच में खारी नदी	00	04	40
		79/2	00	11	60
		78	00	19	04
		77/1	00	10	84
		80/3	00	00	43
		81/2	00	14	46
		74	00	09	14
		72	00	06	27
		48/2	00	00	46
		48/3	00	02	40
		80/1	00	07	36
		43/3	00	13	48
		सर्वे नंबर 43/3 में दामर रास्ता	00	02	43
		43/1	00	07	46
		88/2	00	06	53
		42/1	00	25	68
		87/1	00	01	16
		87/2	00	07	05
		41/2	00	01	27
		41/1	00	06	72
		38/3	00	06	71
		34	00	07	80
		24/1	00	05	44
		24/2	00	08	09
		25/1	00	07	50
		25/2	00	06	43
		सर्वे नंबर 25/2 व 21/2 के बीच में कार्ट ट्रक	00	03	92
		21/2	00	11	76
		21/1	00	02	16
		सर्वे नंबर 1317/4 में खारी नदी	00	07	33
		130	00	02	68

क्रम सं.	सर्वेक्षण का नाम	सर्वेक्षण संख्या	क्षेत्रफल		
			एकर	अर	वर्ग एकर
1	2	3	4	5	6
11	शिवलखा (जारी)	149/2	00	07	25
		150	00	05	13
		156/1	00	11	70
		157	00	08	98
		158	00	01	09
		161	00	07	70
		160	00	01	04
		सर्वे नंबर 160 व 168/2 के बीच में नला	00	03	18
		168/2	00	23	55
		168/1	00	08	75

[च. सं. अर-31015/30/2008-ओ.अर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 13th February, 2009

S. O. 377.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.2679(E) dated the 18th November, 2008, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India dated the 18th November, 2008, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for evacuation of Crude Oil from Mundra in the State of Gujarat to Bathinda in the State of Punjab through Mundra – Bathinda Pipeline by HPCL - Mittal Pipelines Limited, (a subsidiary of Guru Gobind Singh Refineries Limited);

And whereas copies of the said Gazette notification were made available to the public on the 10th January, 2009;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying this pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of this declaration, in HPCL - Mittal Pipelines Limited, (a subsidiary of Guru Gobind Singh Refineries Limited) free from all encumbrances.

HPCL - Mittal Pipelines Limited shall be exclusively liable for any compensation in terms of Section 10 of the P&MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE					
Taluka: BHACHAU		District: KUTCH		State: GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
1	MOTI CHIRAI	656	00	00	99
		656	00	09	13
		657	00	07	87
		658	00	04	10
		651	00	09	08
		1003	00	32	18
		650/3	00	06	71
		650/2	00	01	82
		Nala in between Survey number 650/2 and 649	00	03	48
		649	00	05	48
		Sakra river in Survey number 1003	00	19	19
		681	00	10	64
		682	00	13	27
		691	00	09	48
		690	00	11	48
		699/1	00	15	57
		Cart track in between Survey number 699/1 and 739	00	02	53
		739	00	05	27
		740/1	00	12	20
		816	00	03	50
		817	00	13	47
		820	00	03	73
		819	00	04	67
		823	00	28	51
		824	00	12	94
		810	00	14	85
		809/1	00	03	52
		771	00	08	92
		808	00	05	69
		789	00	17	49
		788	00	05	67
		787	00	05	43
		792	00	00	99
		786/2	00	17	01
		795	00	06	85

Taluka : BHACHAU		District : KUTCH		State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
1	MOTI CHIRAI (Contd.)	796	00	05	10	
		797	00	08	78	
		798/2	00	02	50	
		Nala in between Survey number 798/2 and 896	00	01	18	
		896	00	15	48	
		897/2	00	02	94	
		898/1	00	13	98	
			00	00	00	
2	LUNWA	385/1	00	06	99	
		393/2	00	03	27	
		392/2	00	05	95	
		392/1	00	06	14	
		391/2	00	08	23	
		390/1	00	04	78	
		390/2	00	02	12	
		Cart track in between Survey number 390/2 and 223/1	00	03	70	
		223/1	00	00	79	
		223/2	00	02	21	
		483/1	00	75	33	
		222/1	00	00	99	
		Nala in Survey number 483/1	00	06	78	
		222/3	00	02	98	
		226	00	04	26	
		Cart track in between Survey number 226 and 238/2	00	05	51	
		238/2	00	09	88	
		235/1	00	31	84	
		235/3	00	18	80	
		235/2	00	18	05	
		234	00	03	46	
		233	00	02	13	
		231/2	00	00	46	
		Asphalted road in Survey number 483/1	00	07	09	
			242/3	00	26	28
			242/2	00	00	46
			246/2	00	23	28
			247	00	38	81

Taluka : BHACHAU		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
2	LUNWA (Contd.)	Nata in Survey number 483/1	00	04	81
		251/2	00	17	58
		251/1	00	00	46
		252	00	36	47
		254	00	34	78
		255	00	12	67
		186	00	06	79
		187	00	00	93
		185	00	18	00
		483/21	00	10	13
		178	00	12	79
		483/22	00	09	96
		483/18	00	01	98
		483/17	00	22	69
		483/16	00	09	72
		171	00	10	62
		170	00	10	21
		169	00	06	62
		168	00	25	44
		166	00	12	94
		155	00	34	71
		483/14	00	15	24
		Cart track in between Survey number 483/14 and Village boundary	00	08	19
3	CHOPADWA	Cart track in between Village boundary and Survey number 96/1	00	05	18
		96/1	00	25	42
		96/2	00	03	35
		98	00	35	15
		100	00	31	89
		104	00	31	38
		106	00	16	99
		107	00	23	61
		108	00	32	02
		131	00	01	65
		133	00	05	50
		Asphalted road in Survey number 133	00	11	48

Taluka : BHACHAU		District : KUTCH		State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	

4 BHACHAU

919/2	00	08	68
919/1	00	23	26
921/1	00	18	07
921/2	00	11	84
921/3	00	09	41
924	00	39	23
923/2	00	07	17
929	00	58	95
Metalled road in Survey number 929	00	05	58
930	00	05	98
902	00	47	25
901	00	37	84
896	00	43	96
895	00	13	50
894	00	01	77
893	00	31	75
891	00	01	67
892	00	16	78
885	00	11	94
889	00	07	81
888	00	11	08
887	00	03	69
886	00	01	81
Cart track in between Survey number 887 and 834	00	00	46
834	00	19	01
833/1	00	24	19
832	00	00	99
831	00	14	29
837	00	08	48
840	00	19	71
2000	00	73	56
844	00	25	45
845/1	00	19	04
846	00	63	98
850	00	70	73
851	00	04	71

Taluka : BHACHAU		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
4	BHACHAU (Contd.)	852/1	00	27	83
		716/2	00	08	86
		715	00	09	35
		707/2	00	02	26
		708/1	00	10	83
		706/1	00	05	08
		706/2	00	01	28
		706/3	00	02	22
		703/1	00	17	74
		703/2	00	08	97
		702/1	00	07	08
		702/3	00	00	46
		701/3	00	05	30
		702/2	00	03	36
		Asphalted road in between Survey number 702/2 and 584/1	00	03	42
		584/1	00	07	13
		584/3	00	03	43
		584/4	00	04	04
		587	00	08	98
		Cart track in between Survey number 587 and 599/2	00	03	84
		599/2	00	02	37
		599/1	00	07	66
		609/1	00	05	92
		609/3	00	11	39
		Cart track in between Survey number 609/3 and 504	00	11	45
		504	00	05	48
		503/1	00	14	50
		501	00	05	52
		500/2	00	16	78
		500/1	00	17	66
		Cart track in Survey number 531/1	00	03	76
		499/3	00	16	47
		499/2	00	06	72
		State Highway in between Survey number 499/2 and 97/4	00	06	11
		97/4	00	17	16
		97/1	00	19	45

Taluka : BHACHAU		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
4	BHACHAU (Contd.)	96	00	07	14
		95	00	00	55
		Cart track in between Survey number 96 and 90/1	00	05	48
		90/1	00	03	53
		91/2	00	09	79
		91/1	00	29	17
		117/1	00	00	55
		116	00	10	73
		Cart track in between Survey number 116 and 125	00	06	96
		125	00	10	67
		127	00	09	44
5	VONDH	432/4	00	12	02
		432/5	00	01	89
		Asphalted road in between Survey number 432/5 and 425	00	03	64
		425	00	26	30
		426/3	00	02	13
		423/1	00	00	55
		421/1	00	06	07
		420	00	07	82
		419/3	00	05	55
		418/1	00	16	27
		417	00	07	75
		415	00	04	61
		414	00	07	66
		403	00	07	53
		402/1	00	03	62
		401/2	00	02	87
		401/1	00	03	59
		398	00	02	26
		400/1	00	02	12
		400/2	00	06	28
		382	00	12	62
		380/3	00	10	95
		380/2	00	01	62
		380/1	00	10	77

Taluka : BHACHAU			District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
5	VONDH (Contd.)	367/1	00	03	93	
		368/1	00	00	55	
		368/2	00	17	74	
		Cart track in between Survey number 368/2 and 349	00	03	40	
		349	00	11	10	
		347	00	01	34	
		351/3	00	04	11	
		351/4	00	05	68	
		Cart track in between Survey number 351/4 and 339/1	00	03	51	
		339/1	00	06	50	
		345/1	00	11	39	
		342	00	02	96	
		343	00	04	99	
		321/1	00	14	34	
		320/1	00	00	91	
		320/3	00	00	59	
		320/2	00	03	52	
		322/2	00	13	12	
		322/1	00	11	80	
		Cart track in between Survey number 322/1 and 284/3	00	15	46	
		317/1	00	00	99	
		284/1	00	06	02	
		284/2	00	16	80	
		284/3	00	17	47	
		285	00	14	58	
		286	00	07	15	
		289/1	00	42	17	
		287/2	00	23	35	
		243/1	00	06	53	
		243/2	00	22	20	
		241/1	00	06	43	
		236	00	20	18	
		237	00	09	48	
		190	00	05	20	
		189/2	00	09	73	
		Cart track in between Survey number 189/2 and 184	00	05	91	

Taluka : BHACHAU		District : KUTCH		SARAR : BHACHAU		
Sl. No.	Name of the Village	Survey No.	Area	Area	Area	Area
1	2	3	4	5	6	7
5	VONDH (Contd.)	184	00	03	90	
		185	00	07	74	
		186/4	00	16	87	
		Cart track in between Survey number 186/4 and 132/1	00	04	25	
		132/1	00	15	35	
		1421/1	00	14	26	
		131/1	00	07	28	
		131/2	00	08	80	
		130	00	09	80	
		129	00	16	28	
		Cart track in between Survey number 129 and Village Boundary	00	01	28	
6	VONDHADA	310/1	00	08	06	
		310/2	00	05	74	
		310/3	00	08	96	
		305	00	13	32	
		304/2	00	08	16	
		304/3	00	01	32	
		304/1	00	19	84	
7	VIJAPASAR	20	00	03	87	
		19	00	10	28	
		18	00	16	51	
		9/1	00	14	34	
		9/2	00	07	72	
		Cart track in between Survey number 9/2 and 5	00	06	83	
		5	00	14	08	
		4/2	00	05	52	
		Cart track in between Survey number 4/2 and 88	00	03	04	
		88	00	09	30	
		Cart track in between Survey number 88 and 77	00	06	29	
		77	00	07	81	
		76	00	23	84	
		Asphalted road in between Survey number 76 and 92/3	00	07	02	
		92/3	00	12	52	
		93/3	00	16	23	

Taluka : BHACHALI		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
7	VIJAPASAR (Contd.)	95	00	06	20
		Nala in between Survey number 95 and 245/1	00	06	49
		246	00	00	77
		245/1	00	06	66
		245/2	00	05	54
		Cart track in between Survey number 245/2 and 252/1	00	07	65
		252/1	00	07	64
		253	00	12	44
		257	00	09	46
		258	00	00	73
		265	00	15	13
		266/2	00	06	49
		266/1	00	03	65
		270/1B	00	05	74
		272/1	00	06	43
		272/2	00	06	52
		275	00	04	55
		277/2	00	02	79
		278	00	11	94
		283/2	00	11	46
		284	00	12	03
		289	00	03	16
		198/1	00	02	93
		198/2B	00	13	52
8	LAKHPAT	199	00	10	14
		207/1	00	08	90
		200	00	02	88
		197	00	13	10
		196	00	09	68
		195/2	00	07	42
		194/1	00	05	05
		194/2	00	10	64
		176	00	35	20
		177/1	00	07	76
		Cart track in between Survey number 177/1 and 150/2	00	10	50

Taluka : BHACHAU		District : KUTCH		State : GUJARAT			
Sl. No.	Name of the Village	Survey No.	Area				
			Hectare	Acre	Sq.mtr.		
1	2	3	4	5	6		
8	LAKHPAT (Contd.)	150/2	00	02	81		
		150/3	00	09	98		
		149	00	11	71		
		148	00	10	41		
		Cart track in between Survey number 148 and 62	00	05	12		
		62	00	25	77		
		67	00	17	42		
		59/2	00	16	28		
		58	00	32	21		
		56	00	08	53		
		55	00	12	46		
		54/1	00	10	27		
		54/2	00	04	40		
		1242	00	04	53		
		43	00	01	36		
		41	00	03	36		
		42	00	03	30		
		9	ADHOI	Adhol river in between Village boundary and Survey number 869	00	10	47
				869	00	02	90
				870/4	00	08	31
1242	00			03	13		
783/2	00			11	73		
783/1	00			01	32		
782/2	00			05	86		
782/1	00			06	46		
781/2	00			07	36		
787	00			09	75		
Cart track in between Survey number 787 and 657/1	00			04	57		
657/1	00			13	62		
657/2	00			09	09		
655	00			13	70		
654	00			11	83		
628/2	00			03	87		
650	00			05	18		
631	00			15	92		

Taluka : BHACHAU		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
9	ADHOI (Contd.)	634	00	18	61
		633	00	08	85
		614	00	04	72
		615	00	10	14
		600	00	22	86
		602	00	25	74
		Asphalted road in between Survey number 602 and 387/1	00	13	21
		387/1	00	04	99
		391/1	00	16	77
		394	00	00	66
		393	00	15	29
		397/1	00	09	75
		400/5	00	05	67
		400/2	00	00	83
		403/1	00	00	55
		402	00	19	87
		434/1	00	10	56
		434/2	00	15	53
		430/1	00	12	55
		428	00	24	34
		424/1	00	04	85
		424/2	00	04	02
		416/1	00	13	18
		417	00	06	04
		322	00	10	48
		320/2	00	00	83
		321/3	00	04	69
		321/4	00	06	11
		321/2	00	07	21
		Asphalted road in between Survey number 321/2 and 301	00	04	52
		301	00	01	89
		300	00	08	36
		302	00	05	33
		297	00	18	42
		296/1	00	06	26
		295/1	00	10	73
		285/2	00	09	37

Taluka : BHACHAU		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
9	ADHDI (Contd.)	285/1	00	03	10
		Nala in between Survey number 285/2 and 286	00	02	52
		286	00	07	91
10	GAMDAU	34/1	00	14	68
		34/3	00	03	51
11	SHIVLAKHA	983	00	00	99
		984	00	13	05
		986/2	00	03	68
		985	00	03	61
		987	00	05	45
		988	00	16	79
		1014	00	04	75
		1012	00	00	73
		1013	00	29	05
		Nala in between Survey number 1013 and 1026	00	07	93
		1026	00	03	06
		1027	00	06	36
		1028	00	05	59
		1034	00	07	94
		1033	00	03	20
		1032	00	09	63
		1057	00	15	63
		1317/4	01	42	65
		1071/1	00	04	89
		1070	00	06	11
		1066	00	09	41
		1065/1	00	04	25
		1065/2	00	04	24
		1067/1	00	06	73
		Nala in between Survey number 1067/1 and 1114	00	00	73
		1115/2	00	00	55
		1114	00	09	57
		1106	00	10	34
		1105/3	00	04	64
		1116	00	13	86

Taluka : BHACHAU		District : KUTCH		State : GUJARAT	
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
11	SHIVLAKHA (Contd.)	1117	00	00	99
		1118/1	00	14	41
		1103	00	12	72
		Nala in between Survey number 1103 and 1124/1	00	00	48
		1124/1	00	08	68
		1124/2	00	11	72
		1129/1	00	10	96
		1128	00	01	56
		1159	00	04	90
		Nala in between Survey number 1159 and 1161/1	00	00	97
		1161/1	00	12	88
		1167	00	13	81
		1166	00	06	15
		1165/2	00	04	22
		Nala in between Survey number 1165/2 and 1172	00	10	54
		1172	00	07	77
		1173	00	07	98
		1176/1	00	05	56
		1179/2	00	08	12
		1178	00	01	33
		1179/1	00	03	64
		1229	00	09	02
		1228	00	03	58
		1230	00	05	13
		1235/1	00	03	17
		1234/2	00	04	31
		1236	00	05	88
		1237	00	03	58
		1239/3	00	00	83
		1239/2	00	08	47
		1241/2	00	04	35
		1242/2	00	03	21
		1243	00	02	04
		1207/1	00	02	27
		1206/3	00	06	55
		Cart track in between Survey number 1206/3 and 1249/1	00	01	93

Taluka : BHACHAU		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
11	SHIVLAKHA (Contd.)	1249/1	00	01	16
		1248/2	00	13	19
		1249/2	00	00	66
		1248	00	04	96
		1247	00	00	83
		Khari river in between Survey number 1248 and 79/2	00	04	40
		79/2	00	11	60
		78	00	19	04
		77/1	00	10	84
		80/3	00	00	43
		81/2	00	14	46
		74	00	09	14
		72	00	06	27
		48/2	00	00	46
		48/3	00	02	40
		50/1	00	07	36
		43/3	00	13	48
		Asphalted road in Survey number 43/3	00	02	43
		43/1	00	07	46
		55/2	00	06	53
		42/1	00	25	68
		57/1	00	01	16
		57/2	00	07	05
		41/2	00	01	27
		41/1	00	06	72
		35/3	00	06	71
		34	00	07	80
		24/1	00	05	44
		24/2	00	08	09
		25/1	00	07	50
		25/2	00	06	43
		Cart track in between Survey number 25/2 and 21/2	00	03	92
		21/2	00	11	76
		21/1	00	02	16
		Khari river in Survey number 1317/4	00	07	33
		130	00	02	68

Taluka : BHACHAU		District : KUTCH	State : GUJARAT		
Sl. No.	Name of the Village	Survey No.	Area		
			Hectare	Acre	Sq.mtr.
1	2	3	4	5	6
11	SHIVLAKHA (Contd.)	149/2	00	07	25
		150	00	06	13
		156/1	00	11	70
		157	00	06	96
		158	00	01	09
		161	00	07	70
		160	00	01	04
		Nala in between Survey number 160 and 168/2	00	03	18
		168/2	00	23	56
		168/1	00	08	75

[F. No. R-31015/30/2008-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 13 फरवरी, 2009

का. आ. 378.— केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की भारत के राजपत्र में प्रकाशित अधिसूचना में निम्नलिखित संशोधन करने का निर्देश देती है;

1) का. आ. 2072 दिनांक 24 जुलाई 2008, भारत के राजपत्र ।। खण्ड 3 उपखण्ड (ii) दिनांक जुलाई 27 - अगस्त 2, 2008 के पृष्ठ 4227 में प्रकाशित गांव राह में कॉलम 3 में अंकित खसरा संख्या 1098/3737 के स्थान पर 1098/3739 पढ़ा जावे।

[का. सं. आर-25011/2/2008-ओ.आर.-I]

बी.के.दत्ता, अवर सचिव

New Delhi, the 13th February, 2009

S.O. 378.— In exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Petroleum and Natural Gas as under namely:-

- (1) In S. O. no. 2072 dated 24th July 2008, Published in Gazette of India Part II section 3, Sub-section (ii) dated July 27th - August 2nd, 2008 at page 4231 in respect of village Rarah in column no. 3 Survey no. "1098 / 3737" may be read as "1098 / 3739".

[F. No. R-25011/2/2008-O.R.-I]

B.K. DATTA, Under Secy.

नई दिल्ली, 13 फरवरी, 2009

का. आ. 379.—केन्द्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1982 (1982 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 11-06-2008 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का आ. संख्या 1457 तारीख 21-06-2008 द्वारा उस अधिसूचना से उपाबद्ध अनुसूची मंडल- चित्तूर जिला- चित्तूर, राज्य आन्ध्रप्रदेश में चेन्नै पेट्रोलियम कॉर्पोरेशन लिमिटेड, मनाली कि रिकेनेरी से देवनगुट्टि टर्मिनल, बैंगलूर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड, द्वारा पाइपलाइन बिछाने के उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां ता. 21-10-2008 को जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विल्लगमों से मुक्त होकर प्रकाशन की तारीख से इंडियन ऑयल कॉर्पोरेशन लिमिटेड निहित होगा ।

अनुसूची

मंडल : चित्तूर		जिला : चित्तूर		राज्य : आन्ध्रप्रदेश	
गाँव का नाम	सर्वेक्षण सं- खण्ड सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टर	एयर	वर्ग मिटर
1	2	3	4	5	6
60, नारिगापल्लि	145	2B	00	01	21

[फा. सं. आर-25011/5/2007-ओ.आर.-1]

बी.के.दत्ता, अवर सचिव

New Delhi, the 13th February, 2009

S. O. 379.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas, S.O.No. 1457 dated 21-06-2008 under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the land specified in the schedule relating to Mandal Chittoor, Dist. Chittoor, State Andhra Pradesh, annexed to that notification for the purpose of laying pipeline for the transportation of Petroleum Product from Refinery of Chennai Petroleum Corporation Limited, manali to Devanguthi Terminal, Bangalore, by the Indian Oil Corporation Limited.

And whereas, the copies of the said Gazette Notification were made available to the general public on date of 21-10-2008;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that Right of User in the land specified in the Schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby direct that the Right of User in the said land shall instead of vesting in the Central Government, vests from the date of publication of this declaration in the Indian oil corporation limited free from all encumbrances.

SCHEDULE

Mandal : Chittoor		District : Chittoor		State : Andhra Pradesh	
Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq. Mtr.
1	2	3	4	5	6
60, Narigapalli	145	2B	00	01	21

[F. No. R-25011/5/2007-O.R.-I]
B.K. DATTA, Under Secy.

नई दिल्ली, 13 फरवरी, 2009

का. आ. 388.—केन्द्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 11-06-2008 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का आ. संख्या 1458 तारीख 21-06-2008 द्वारा उस अधिसूचना से उपाबद्ध अनुसूची मंडल-यादमारि, जिला-चित्तूर, राज्य आन्ध्रप्रदेश में चेन्नै पेट्रोलियम कॉर्पोरेशन लिमिटेड, मनाली कि रिफ़ैनेरी से देवनगुडि टर्मिनल, बैंगलूर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कार्पोरेशन लिमिटेड, द्वारा पाइपलाइन बिछाने के उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां ता.21-10-2008 को जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विल्लागों से मुक्त होकर प्रकाशन की तारीख से इंडियन ऑयल कार्पोरेशन लिमिटेड निहित होगा ।

अनुसूची

मंडल : यादमारि		जिला : चित्तूर		राज्य : आन्ध्रप्रदेश	
गाँव का नाम	सर्वेक्षण सं- खण्ड सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टर	एयर	वर्ग मिटर
1	2	3	4	5	6
63, माधवरम	84	4D	00	03	24
	84	4G	00	01	21
	48	1	00	01	21
	62	6E	00	14	57

[फा. सं. आर-25011/5/2007-ओ.आर.-I]

बी.के. दत्ता, अवर सचिव

New Delhi, the 13th February, 2009

S. O. 380.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas, S.O.No. 1458 dated 21-06-2008 under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the land specified in the schedule relating to Mandal Yadamari, Dist. Chittoor, State Andhra Pradesh, annexed to that notification for the purpose of laying pipeline for the transportation of Petroleum Product from Refinery of Chennai Petroleum Corporation Limited, manali to Devanguthi Terminal, Bangalore, by the Indian Oil Corporation Limited.

And whereas, the copies of the said Gazette Notification were made available to the general public on date of 21-10-2008;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that Right of User in the land specified in the Schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby direct that the Right of User in the said land shall instead of vesting in the Central Government, vests from the date of publication of this declaration in the Indian oil corporation limited free from all encumbrances.

SCHEDULE

Mandal : Yadamari		District : Chittoor		State : Andhra Pradesh	
Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq. Mtr.
1	2	3	4	5	6
63, Madhavaram	84	4D	00	03	24
	84	4G	00	01	21
	48	1	00	01	21
	62	6E	00	14	57

[F. No. R-25011/5/2007-Q.R.-I]
B.K. DATTA, Under Secy.

नई दिल्ली, 13 फरवरी, 2009

का. आ. 381.— केन्द्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 11-06-2008 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का आ. संख्या 1469 तारीख 21-06-2008 द्वारा उस अधिसूचना से उपाबद्ध अनुसूची मंडल- गंगाधरनेल्लोर, जिला- चित्तूर, राज्य आन्ध्रप्रदेश में चेन्नै पेट्रोलियम कॉर्पोरेशन लिमिटेड, मनाली कि रिफ़ैनेरी से देवनगुडि टर्मिनल, बैंगलूर तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड, द्वारा पाइपलाइन बिछाने के उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां ता.21-10-2008 को जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विल्लगमों से मुक्त होकर प्रकाशन की तारीख से इंडियन ऑयल कॉर्पोरेशन लिमिटेड निहित होगा ।

अनुसूची

मंडल : गंगाधरनेल्लोर		जिला : चित्तूर		राज्य : आन्ध्रप्रदेश	
गाँव का नाम	सर्वेक्षण सं- खण्ड सं.	उप-खण्ड सं.	क्षेत्रफल		वर्ग मिटर
			हेक्टर	एयर	
1	2	3	4	5	6
52, थुगुंद्रम	321	1	00	34	41
	321	2	00	14	57
	278	2	00	04	86
	279	20	00	08	10
	279	19	00	03	24

[फा. सं. आर-25011/5/2007-ओ.आर.-1]

बी.के.दत्ता, अवर सचिव

New Delhi, the 13th February, 2009

S. O. 381.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas, S.O.No.1459 dated 21-06-2008 under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the land specified in the schedule relating to Mandal Gangadhara Nellore, Dist. Chittoor, State Andhra Pradesh, annexed to that notification for the purpose of laying pipeline for the transportation of Petroleum Product from Refinery of Chennai Petroleum Corporation Limited, manali to Devanguthi Terminal, Bangalore, by the Indian Oil Corporation Limited

And whereas, the copies of the said Gazette Notification were made available to the general public on date of 21-10 -2008;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that Right of User in the land specified in the Schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby direct that the Right of User in the said land shall instead of vesting in the Central Government, vests from the date of publication of this declaration in the Indian oil corporation limited free from all encumbrances.

SCHEDULE

Mandal :Gangadhara Nellore		District : Chittoor		State : Andhra Pradesh	
Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq. Mtr.
1	2	3	4	5	6
52, Thugundram	321	1	00	34	41
	321	2	00	14	57
	278	2	00	04	86
	279	20	00	08	10
	279	19	00	03	24

[F. No. R-25011/5/2007-O.R.-I]
B.K. DATTA, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 13 जनवरी, 2009

का.आ. 382.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जवाहरलाल नेहरू पोर्ट ट्रस्ट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या 2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/71/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-01-2009 को प्राप्त हुआ था।

[सं. एल-39012/2/2001-आई आर (एम)]
कमल बाखरू, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 13th January, 2009

S.O. 382.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/71/2001) of the Central Government Industrial Tribunal-cum-Labour Court, No.2, Mumbai now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Jawaharlal Nehru Port Trust and their workman, which was received by the Central Government on 13-1-2009.

[No. L-39012/2/2001-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, AT MUMBAI**

Present : A. A. Lad, Presiding Officer

Reference No. CGIT-2/71 of 2001

Employers in relation to the Management of Jawaharlal Nehru Port Trust

The Chairman
Jawaharlal Nehru Port Trust
Sheva, P.O. Nhava,
Navi Mumbai-400614.

And

Their Workmen.

Shri Mahesh M. Kumbhar
At Shahbagh, P.O. Konkan Bhawan,
Navi Mumbai-400614.

APPEARANCES

For the Employers : Mr. L.L. D'Souza,
Representative

For the Workman : Mr. J.H. Sawant, Advocate.

Mumbai, dated this 18th December, 2008

AWARD PART-II

1. The Government of India, Ministry of Labour by its Order No. L-39012/2/2001/IR(M) dated 14-05-2001 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Jawaharlal Nehru Port Trust in removing Sh. Mahesh M. Kumbhar from employment w.e.f. 24-11-98 is legal and justified? If not, what relief the workman is entitled to?"

2. To support the subject matter referred in the reference second party filed Claim Statement at Ex-6 stating that, he worked with first party as Technician w.e.f. 5-11-90 till he was terminated w.e.f. 24-11-1998. The reason given by first party behind termination was of absenteeism which is not just and proper. Punishment awarded of dismissal for absenteeism is harsh punishment and against regulations framed more precisely regulation No. 5 to 9 suggests minor punishment to such type of absenteeism. However punishment of dismissal is major one and absenteeism cannot be ground to dismiss the second party.

3. He further stated that, evidence placed by him of his sickness was not considered by Inquiry Officer. Enquiry was not fair and proper, the findings were perverse. So it is submitted that, dismissal order be set aside with direction to first party to reinstate with backwages and continuity of service.

4. This is disputed by first party by filing reply Ex-7 stating that, absenteeism noted of second party is not legal one. Absenteeism was of 95 days right from 9-3-98 to 11-6-98. Second party remained absent without intimation and without conveying the cause of his absenteeism. The absenteeism of more than 10 days is treated as a misconduct and invite enquiry on which first party can take action of dismissal if the charges of misconduct are proved. It is to be noted that, after serving chargesheet enquiry was conducted. Even prior to that notice dated 29-4-98 was given asking him to report on duty within 7 days still he did not report on duty nor conveyed cause behind absenteeism as well as produce any documents. Even number of days were given and intimated to second party about enquiry, he did not take note of it, or reported for enquiry and participate in the enquiry. As second party did not co-operate with the Inquiry Officer, no option left with it but to proceed exparte and accordingly, enquiry was concluded holding him guilty of misconduct about absenteeism. Opportunity was given to file appeal and after hearing that, order of dismissal was confirmed. As no reason was assigned, and no evidence produced by second party about his absenteeism, it is stated that, decision taken by first

party of dismissal is just and it did not require to be interfered.

5. Preliminary issue regarding fairness of enquiry and perversity of findings was decided by passing part-I Award on 22-12-2006 observing enquiry not fair and proper and findings perverse. It was also directed to first party to lead evidence to justify its action. So the issue of whether the action taken by the management is justified is now taken for consideration which I answer as follows:

Issues	Findings
(iii) Whether the action of the management of Jawaharlal Nehru Port Trust in removing Sh. Mahesh M. Kumbhar from employment w.e.f. 24-11-1998 is legal and justified?	Yes
(iv) What relief the workman is entitled to?	No

Reasons

Issue Nos. 3 & 4:-

6. In this reference second party challenged the termination order dated 24-11-1998. The base of the order was absenteeism of the workman. It was alleged by first party that concerned workman remained absent unauthorised from 9-3-1998 till 11-6-1998. The charge of unauthorised leave of 95 days was leveled against concerned workman. The stand taken by second party is that, due to sickness he unable to report on duty. On that charge sheet was served on second party to justify his absenteeism. Though number of opportunity was given to concerned workman to attend enquiry and to justify his absenteeism in the said enquiry, admittedly he remained absent and Inquiry Officer concluded concerned workman was unauthorisedly absent for 95 days from 9-3-1998. On that, decision was taken by first party of dismissal.

7. While deciding part-I award looking the opportunity not availed by concerned workman in attending the enquiry and in justifying his absenteeism, I observed said finding of the Inquiry Officer is perverse and enquiry conducted since was exparte, was not completed by following principles of natural justice.

8. So, I feel opportunity require to give to first party to justify its action of termination as well as to the second party workman to show how decision taken by first party of dismissal is not just and proper.

9. On that, first party examined its witness, Wani by filing affidavit in lieu of examination-in-chief Ex-25 who states that, concerned workman remained absent unauthorisedly for 95 days from 9-3-1998 to 11-6-1998. He states that, he informed second party's absenteeism to the

Manager (Bulk Terminal) by his report dated 7-4-1998. He states that, except Medical Certificate dated 9-3-1998, which was received on 2-4-1998, no other medical certificate or evidence was submitted by concerned workman. He states that, there is a provision of grant of sick leave in respect of permanent employees. Second party did not apply in that format by sending medical certificate. He also did not produce medical certificate issued by Authorised Medical Attendant. According to him Authorised Medical Attendant for the first party is defined in the Regulations of the first party. Said was not complied by the second party workman. It is further stated that, first party has full fledged Medical Department where free medical treatment is provided to permanent employees. Second party did not approach the Medical Department of first party and took medical treatment. The medical certificate supplied by second party dated 9-3-1998 does not disclose for what period, concerned workman is advised to take rest and what sort of treatment was given to the concerned workman. Though opportunity was given to concerned workman, he did not explain the nature of absenteeism or nature of his sickness and gravity of it. On that, showcause notice was also given but concerned workman did not reply it. In the cross, this witness admits that medical certificate dated 9-3-1998 was received mentioning he was suffering from 'Malaria'. He admits that, first party has not replied said, medical certificate. He admits that, first party has not enquired the sickness of the second party and on that evidence was closed by the first party. Against that no evidence is led by second party.

10. First party filed Written Arguments at Ex-26 with citations. Second party submitted his written arguments at Ex-29.

11. So the evidence which is referred above is the only evidence of first party witness Mr. Wani who tried to point out that, medical certificate though received dated 9-3-1998, mentioning patient suffering from Malaria, did not disclose the advice of doctor of taking rest and days for which such rest is required. Besides he states that said certificate does not disclose, what sort of treatment was given and how much period patient required bed rest? Besides he states that, there is free medical facility available to permanent employees in the establishment of first party but said was not utilised by concerned workman. On that, second party is silent. He did not step into witness box this time also to explain why he simply rely on medical certificate dated 9-3-1998 which does not disclose days of rest advised by doctor. Even he has not explained why he did not examine the doctor who issued medical certificate. He has not explained as to why he did not approach the medical facility made available by first party to employee of his type. Even he has not explained why he remained absent and has not explained to whom he informed and through which manner? He has not explained how his leave can be authorised leave? All these questions are not replied by concerned workman.

12. In the written arguments submitted at Ex-26, first party's advocate has referred previous record of the concerned workman stating that, he remained absent on last occasion for 173 days from 1-3-1997 to 21-8-1997 that time, charge sheet was served and enquiry was conducted. During that period, concerned workman gave undertaking that, he will improve his attendance. On that he was punished by withholding his one year increment. However the incident under the reference shows that there is no improvement in his behavior and attendance of the concerned workman. Again he remained absent for 95 days from 9-3-1998 to 11-6-1998. According to him, the past record of concerned workman is of that type and when even he was convicted for that he did not show any improvement. So that such person is not entitled for any leniency who is habitual absentee. He also referred to decision given in Delhi Transport Corporation V/s. Sardar Singh reported in 2004 LLR 953 where it was observed that, when period of absenteeism is admitted, the onus is on the workman to show his absence was for such and such cause. Here admittedly concerned workman has not shown such cause for his absenteeism. The only medical certificate he submitted is dated 9-3-1998 which is also not proved by examining the doctor who issued certificate. Non-examination of signatory of the medical certificate cannot be read in the evidence as per decision given by Hon'ble High Court, Mumbai in case of Vermon Lobo V/s. Himalayan Drug Co., Mumbai published in 1999 Lab IC 1659 and decision given in Brihanmumbai Municipal Corporation V/s. Dashrath Satyawar Gawade & anr. published in 2006 III CLR 559 as well as on the decision given in case of Mahesh Kumar Narottambhai Kantharia V/s. Administrative Officer, Nagar Prathmik Shikshan Samiti, Surat reported in 2002 (92) FLR 215. He also place reliance on the decision given in S.K. Awasthy V/s. M.R. Bhope, Presiding Officer, 1st Labour Court reported in 1994 (68) FLR 841 where it was observed that, when workman who failed to examine himself as witness, lead to draw adverse inference against his case. In the instant case, second party did not step into witness box to show that how termination is not just and proper against this type of absenteeism? He also place reliance on citation published in 2008 I CLR 978 where Apex Court in deciding case of L&T Komatsu Ltd. V/s. N. Udaykumar observed that, management is not supposed to show leniency in case of regular absenteeism. Even same view is taken by Apex Court while deciding case of Delhi Transport Corporation V/s. Sardar Singh observing that, regular absenteeism is nothing but negligence of the workman.

13. About 'authority to punish', case of second party is that, Deputy Chairman has no power to issue termination order. First party has pointed out that, there are rules and as per that Deputy Chairman is empowered to issue termination order as per Regulation 10. Second party simply state that, Deputy Chairman is not empowered to issue termination order, but he has not made out case, who is the competent authority to act as disciplinary authority?

13. So if we consider all these coupled with case made out above, I am of opinion that management succeeded in showing that, concerned workman remained absent unauthorisedly. Even management succeeded in showing that, second party could not justify his absenteeism. When second party has not justified his absenteeism and when his past record also shows that, he was convicted for absenteeism previously, lead me to conclude that decision taken by first party is just and proper and does not require any interference. I also conclude that, in that premises second party is not entitled to any relief. So I answer these issues to that effect and passes the following order.

ORDER

Reference is rejected with no order as to costs.

Date: 18-12-2008

A. A. LAD, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ 383.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ. एन. जी. सी. लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय II, चंडीगढ़ के पंचाट (संदर्भ संख्या आई. डी. सं. 1143/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-01-2009 को प्राप्त हुआ था।

[सं. एल-30011/32/2004-आई आर(एम)]

कमल बाखरु, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 383.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.I.D. No. 1143/2005) of the Central Government Indus Tribunal-cum-Labour Court II, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workmen, which was received by the Central Government on 13-01-2009.

[No. L-30011/32/2004-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. 1143/2k5

Registered on : 23-9-2005

Date of Decision : 2-1-2009

Chuni Lal S/o Sh. Jiwanu Ram, C/o Shri Suresh Kumar, General Secretary, ONGC Mazdoor Union, Dhaban Mandi (HP) Dhaban Mandi.

... Petitioner

in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 13-01-2009.

[No. L-30011/29/2004-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case L.D. No. 804/2005

Registered on : 6-9-2005

Date of Decision : 2-1-2009

Khima Ram S/o Sh. Mani Ram, C/o Suresh Kumar, General Secretary, ONGC Mazdoor Union, Dhaban Mandi (HP) Dhaban Mandi.

... Petitioner

Versus

The Manager, ONGC, Northern Regional Business Centre, Dehradun, Uttranchal, Dehradun.

... Respondent

For the Workman : Sh. M.S. Gorsl President,
CITU, Chandigarh

For the Management : Sh. I.S. Sidhu & G.S. Sidhu
Advocates

AWARD

Following reference was received from the Ministry of Labour, Government of India, vide No. L-30011/29/2004 [IR (M)] Dated 01-06-2004, which reads as under :

"Whether the action of the management of Oil & Natural Gas Corporation Ltd., Tel Bhawan, Dehradun in terminating the services of Shri Khima Ram S/o Sh. Mahi Ram, Ex-Contingent Worker (unskilled) w.e.f. 01-10-2003 without any notice and without any payment of retrenchment compensation, is illegal and unjustified? If so, to what relief the concerned workman is entitled and from which date?"

The notices of the reference were issued to the parties who appeared through their counsel. The workman filed the statement of his claim and the Management filed their written statement opposing the claim of the workman. The workman filed rejoinder and supported his pleadings with his affidavit, whereas the Management filed the affidavit of their Personnel Administrative Officer, Shri A.K. Sharma. Both the workman and Mr. A.K. Sharma, the witness of the Management, also came in the witness box. The parties also placed on record photo copies of a number of documents including the judgment of the Hon'ble High Court of Punjab and Haryana in the case of Sandeep Kumar Versus Municipal Corporation, Faridabad and that of the Presiding Officer, CGIT-I, Chandigarh.

Stated in brief the claim of the workman is that the workman had joined service of the Management on 1-12-2000 although he was given the appointment letter on 10-7-2001 only. He served the Management up to 1-10-2003 without break and thereby putting more than 240 days continuous service and was getting monthly wages @ Rs. 3900. That the Management vide their No. FB/BM/RSN-2/Misc/2003 Dated 01-10-2003 retrenched the services of the workman without paying him compensation and wages for the notice period and without issuing him the notice. Thus, the Management violated the provision of Section 25-F of the Industrial Disputes Act, to be called for short the "Act". That the Management started new exploratory drilling at Dangar District Bilaspur (HP) at a distance of 50 Kms. from the site where the workman was working before his retrenchment. The workman being an experienced and trained person could better serve the Management as compared to the fresh appointee and they instead engaged fresh hands and thereby, violated the provisions of Section 25-H of the Act. For these reasons the disengagement of the workman was illegal, bad in law and against the principle of natural justice. It is also the claim of the workman that he is entitled to be reinstated in service with all service benefits, such as, continuity of service, back wages and other benefits besides the costs of the litigation. He has supported his claim with documents, photocopies of which are placed on record as Annexures W-1 and W-2.

The claim of the workman has been opposed by the Management. It is the preliminary objection of the Management that since the engagement of the workman was for the execution of a particular job with a clear stipulation that after the completion of the job, the services of the workman shall stand terminated and the workman was bound by the terms of letter of his appointment, therefore, the reference is not maintainable. Moreover, since the retrenchment of the workman was affected on the completion of the project, therefore, the Management did not violate any provisions of the Act. As such, there is no dispute between the parties in terms of the Act. On merits it is the claim of the Management that the drilling at Dangar has commenced now as it could not be done because of non-shifting of the rig due to the agitation of the workmen. That the workman was engaged on need basis as daily rated workman and was paid higher wages for working 12 hours a day. Since the nature of the work was not permanent and could last up to the drilling operation, therefore, the work was shifted to another place after closing from the earlier project. The appointment letter was issued to the workman on the indulgence of the Conciliation Officer and in terms of that order the workman had accepted the job. No doubt he worked for more than 240 days but his engagement was regulated by the terms of letter of his appointment. The workman was paid wages @ Rs. 150 per day, which was higher than the minimum wages and the same included for the weekly off days. The termination of the workman was in terms of the letter of the appointment, therefore, the same was not retrenchment and for that

reasons also the workman was not entitled to retrenchment compensation, notice or wages for notice period. The Management did not violate any provisions of the Act, and the claim made by the workman is unjustified. It is further their claim that the workman had no vested right of employment on the proposed exploratory drilling site at Dangar, since it was a new project. They have further denied the claim of the workman that he is a skilled and trained labourer. Their submission is that as per the rules, the Management has adopted the policy to engage Contractors for providing manpower. According to them, the claim of the workman is not maintainable and the reference should be answered against him.

The workman filed rejoinder but did not add anything new except that the letter of appointment cannot override the provisions of the Act. The workman has denied the claim made by the Management and reiterated whatever he has stated in his statement of claim.

From their pleadings it is clear that the parties have admitted facts to a large extent. It is admitted that the workman was engaged by the Management and that he served the Management for 240 days till 1-10-2003 when his services were terminated by the Management without giving him notice or wages in lieu of notice period or retrenchment compensation. The Management has taken the plea that the termination of the services of the workman was affected in terms of his letter of appointment, the contents of which are not denied by the workman. The letter of engagement of the workman dated 10-7-2001 had been placed on record as Annexure W/2, by the workman. It reads that the workman, Khima Ram, is offered an opportunity for employment on the terms and conditions as a term based contingent workman. It further reads that the workman is being engaged in their project at Sundernagar which is a exploratory drilling project and which can be bound up at any time depending upon its results. It further reads that the engagement of the workman shall be for the period the activities remain in operation at Sundernagar and on the completion of the work his services shall be terminated without further notice. The letter of appointment further says that the workman shall be paid Rs. 150 per day for the work done inclusive of wages for the weekly rest. As per clause 3, if the requirement of the job ceases before the expiry of the stipulated period or the workman wants to leave the job any time before that, one month's notice or wages for one month in lieu thereof will be paid by either of the side. The workman was also to be governed by the standing orders besides the terms of the appointment order and he was given 10 days time to join the job.

A plain reading of the letter of appointment, the existence of which is not denied rather workman has relied there upon, clearly shows that the engagement of the workman was for Sundernagar exploratory drilling project and as per the terms and conditions of the engagement letter the services of the workman were to be taken only up to the time the drilling activities of the project continued at

Sundernagar. The workman himself had admitted that his services were terminated when the Management bound up the project at Sundernagar. As per the terms and conditions of the engagement letter, the workman was not entitled to a month's notice or wages for the notice period except in case the workman was to be disengaged during the period the activities of the Project continued or the workman himself wanted to leave the job in between and in that case one month's notice to be given by either of the side or was to pay wages for the notice period. That contingency did not take place in the case of the workman as he continued working for the Management till the activities of the Project continued at Sundernagar and he was disengaged only when the project at Sundernagar was bound up. Thus, there is no merit in the claim of the workman that since he had put in more than 240 days continued service 12 months preceding the date of termination of his services, therefore, he was entitled to one month's notice or wages for the notice period and the retrenchment compensation and that the Management admittedly did not do so, therefore, disengagement of the workman was bad in law. In this view of mine I rely upon the judgment of Hon'ble Supreme Court reported as JT 2003(3) SC 436 in the case S.M. Nilajkar and Ors. Versus Telecom District Manager, Karnataka.

The workman has taken another ground to challenge the disengagement. It is his claim that the Management had started another Project at Dangar about 50 K. Ms from Sundernagar and the workman being a trained skilled labourer, therefore, he had prior right to be taken on that project and the Management having failed to give opportunity to him, therefore, also they violated the provisions of Section 25-H of the Act. In my opinion this plea of the workman also does not have any merit for the reasons that the Project at Dangar was a separate and independent Project although that of the Management. Secondly, the workman has not shown as to when the Project at Dangar had started. Whether it had started before the issuance of the demand notice by the workman? The witness of the Management denied that the drilling operation at Dangar (Bilaspur) was carried out after Sundernagar immediately. The workman himself nowhere showed as to when the Project at Dangar had started. Thus, his claim for re-engagement in the Dangar Project is also not justified. Also this aspect could not be gone into since it is beyond the scope of the reference in hand.

For whatever has been discussed above, I am of the opinion that the workman has no case and he has failed to prove that the termination of his services with effect from 01-10-2003 was illegal and unjustified. His claim for re-engagement in Dangar Project is beyond the scope of the reference under hand. Therefore, he is not entitled to any relief. The reference is answered against him and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ. 385.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ओ. एन. जी. सी. लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, चंडीगढ़ के पंचाट (सदर्भ सं. आई. डी. सं. 1142/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-2009 को प्राप्त हुआ था।

[सं. एल-30011/20/2004-आईआर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 385.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D. No. 1142/2005) of the Central Government Industrial Tribunal/Labour Court-II, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 13-1-2009.

[No. L-30011/20/2004-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. 1142/2k5

Registered on : 23-9-2005

Date of Decision : 2-1-2009

Gopal Chand S/o Sh. Hardev Singh,
C/o Shri Suresh Kumar, General Secretary
ONGC Mazdoor Union, Dhaban Mandi (HP)
Dhaban Mandi

....Petitioner

Versus

The Manager, ONGC
Northern Regional Business Centre, Dehradun,
Uttanchal, Dehradun

....Respondent

For the Workman : Sh. M. S. Gors, President,
CITU, Chandigarh

For the Management : Sh. I. S. Sidhu and
G. S. Sidhu, Advocates

AWARD

Following reference was received from the Ministry of Labour, Government of India, vide L-30011/20/2004-IR(M) dated 2-6-2004, which reads as under :

"Whether the action of the management of Oil and Natural Gas Corporation Ltd., Tel Bhawan, Dehradun in

terminating the services of Sh. Gopal Chand S/o Sh. Hardev Singh, Ex-Contingent Worker (unskilled) w.e.f. 1-10-2003 without any notice and without any payment of retrenchment compensation, is illegal and unjustified? If so, to what relief the concerned workman is entitled and from which date?"

The notices of the reference were issued to the parties who appeared through their counsel. The workman filed the statement of his claim and the Management filed their written statement opposing the claim of the workman. The workman filed rejoinder and supported his pleadings with his affidavit, whereas the Management filed the affidavit of their Personnel Administrative Officer, Shri A.K. Sharma. Both the workman and Mr. A.K. Sharma, the witness of the Management, also came in the witness box. The parties also placed on record photo copies of a number of documents including the judgment of the Hon'ble High Court of Punjab and Haryana in the case of Sandeep Kumar Versus Municipal Corporation, Faridabad and that of the Presiding Officer, CGIT-I, Chandigarh.

Stated in brief the claim of the workman is that the workman had joined service of the Management on 1-12-2000 although he was given the appointment letter on 10-7-2001 only. He served the Management up to 1-10-2003 without break and thereby putting more than 240 days continues service and was getting monthly wages @ Rs. 3900/-. That the Management vide their No. FB/BM/RSN-2/Misc/2003 Dated 01-10-2003 retrenched the services of the workman without paying him compensation and wages for the notice period and without issuing him the notice. Thus, the Management violated the provisions of Section 25-F of the Industrial Disputes Act, to be called for short the "Act". That the Management started new exploratory drilling at Dangar District Bilaspur (HP) at a distance of 50 K.Ms from the site where the workman was working before his retrenchment. The workman being an experienced and trained person could better serve the Management as compared to the fresh appointee and they instead engaged fresh hands and thereby violated the provisions of Section 25-H of the Act. For these reasons the disengagement of the workman was illegal, bad in law and against the principle of natural justice. It is also the claim of the workman that he is entitled to be reinstated in service with all service benefits, such as, continuity of service, back wages and other benefits besides the costs of the litigation. He has supported his claim with documents, photocopies of which are placed on record as Annexure W/1 and W/2.

The claim of the workman has been opposed by the Management. It is the preliminary objection of the Management that since the engagement of the workman was for the execution of a particular job with a clear stipulation that after the completion of the job, the services

of the workman shall stand terminated and the workman was bound by the terms of letter of his appointment, therefore, the reference is not maintainable. Moreover, since the retrenchment of the workman was affected on the completion of the project, therefore, the Management did not violate any provisions of the Act. As such, there is no dispute between the parties in terms of the Act. On merits it is the claim of the Management that the drilling at Dangar has commenced now as it could not be done because of non-shifting of the rig due to the agitation of the workmen. That the workman was engaged on need basis as daily rated workman and was paid higher wages for working 12 hours a day. Since the nature of the work was not permanent and could last up to the drilling operation, therefore, the work was shifted to another place after closing from the earlier project. The appointment letter was issued to the workman on the indulgence of the Conciliation Officer and in terms of that order the workman had accepted the job. No doubt he worked for more than 240 days but his engagement was regulated by the terms of letter of his appointment. The workman was paid wages @ Rs. 150 per day, which was higher than the minimum wages and the same included for the weekly off days. The termination of the workman was in terms of the letter of the appointment, therefore, the same was not retrenchment and for that reasons also the workman was not entitled to retrenchment compensation, notice or wages for notice period. The Management did not violate any provisions of the Act, and the claim made by the workman is unjustified. It is further their claim that the workman had no vested right of employment on the proposed exploratory drilling site at Dangar, since it was a new project. They have further denied the claim of the workman that he is a skilled and trained labourer. Their submission is that as per the rules, the Management has adopted the policy to engage Contractors for providing manpower. According to them, the claim of the workman is not maintainable and the reference should be answered against him.

The workman filed rejoinder but did not add anything new except that the letter of appointment cannot override the provisions of the Act. The workman has denied the claim made by the Management and reiterated whatever he has stated in his statement of claim.

From their pleadings it is clear that the parties have admitted facts to a large extent. It is admitted that the workman was engaged by the Management and that he served the Management for 240 days till 1-10-2003 when his services were terminated by the Management without giving him notice or wages in lieu of notice period or retrenchment compensation. The Management has taken the plea that the termination of the services of the workman was affected in terms of his letter of appointment, the contents of which are not denied by the workman. The letter of engagement of the workman dated 10-7-2001 has been placed on record as Annexure W/2, by the workman.

It reads that the workman, Gopal Chand, is offered an opportunity for employment on the terms and conditions as a term based contingent workman. It further reads that the workman is being engaged in their project at Sundernagar which is a exploratory drilling project and which can be bound up at any time depending upon its results. It further reads that the engagement of the workman shall be for the period the activities remain in operation at Sundernagar and on the completion of the work his services shall be terminated without further notice. The letter of appointment further says that the workman shall be paid Rs. 150 per day for the work done inclusive of wages for the weekly rest. As per clause 3, if the requirement of the job ceases before the expiry of the stipulated period or the workman wants to leave the job any time before that, one month's notice or wages for one month in lieu thereof will be paid by either of the side. The workman was also to be governed by the standing orders besides the terms of the appointment order and he was given 10 days time to join the job.

A plain reading of the letter of appointment, the existence of which is not denied rather workman has relied there upon, clearly shows that the engagement of the workman was for Sundernagar exploratory drilling project and as per the terms and conditions of the engagement letter the services of the workman were to be taken only up to the time the drilling activities of the project continued at Sundernagar. The workman himself had admitted that his services were terminated when the Management bound up the project at Sundernagar. As per the terms and conditions of the engagement letter, the workman was not entitled to a month's notice or wages for the notice period except in case the workman was to be disengaged during the period the activities of the Project continued or the workman himself wanted to leave the job in between and in that case one month's notice to be given by either of the side or was to pay wages for the notice period. That contingency did not take place in the case of the workman as he continued working for the Management till the activities of the Project continued at Sundernagar and he was disengaged only when the project at Sundernagar was bound up. Thus, there is no merit in the claim of the workman that since he had put in more than 240 days continued service 12 months preceding the date of termination of his services, therefore, he was entitled to one month's notice or wages for the notice period and the retrenchment compensation and that the Management admittedly did not do so, therefore, disengagement of the workman was bad in law. In this view of mine I rely upon the judgment of Hon'ble Supreme Court reported as JT 2003(3) SC 436 in the case S.M. Nilajkar and Ors. Versus Telecom District Manager, Karnataka.

The workman has taken another ground to challenge the disengagement. It is his claim that the Management had started another Project at Dangar about 50 Kms. from Sundernagar and the workman being a trained skilled

labourer, therefore, he had prior right to be taken on that project and the Management having failed to give opportunity to him, therefore, also they violated the provisions of Section 25-H of the Act. In my opinion this plea of the workman also does not have any merit for the reasons that the Project at Dangar was a separate and independent Project although that of the Management. Secondly, the workman has not shown as to when the Project at Dangar had started. Whether it had started before the issuance of the demand notice by the workman? The witness of the Management denied that the drilling operation at Dangar (Bilaspur) was carried out after Sundernagar immediately. The workman himself nowhere showed as to when the Project at Dangar had started. Thus, his claim for re-engagement in the Dangar Project is also not justified. Also this aspect could not be gone into since it is beyond the scope of the reference in hand.

For whatever has been discussed above, I am of the opinion that the workman has no case and he has failed to prove that the termination of his services with effect from 01-10-2003 was illegal and unjustified. His claim for re-engagement in Dangar Project is beyond the scope of the reference under hand. Therefore, he is not entitled to any relief. The reference is answered against him and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ. 386.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ. एन. जी. सी. लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, चंडीगढ़ के पंचाट (सदस्य सं. आई. डी. सं.-805/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-2009 को प्राप्त हुआ था।

[सं. एल-30011/18/2004-आई.आर. (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 386.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D. No.-805/2005) of the Central Government Industrial Tribunal/Labour Court-II, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 13-1-2009.

[No. L-30011/18/2004-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. 805/2k5

Registered on : 6-9-2005

Date of Decision : 2-1-2009

Himmat Ram S/o Sh. Katku Ram,
C/o Shri Suresh Kumar, General Secretary
ONGC Mazdoor Union, Dhaban Mandi (HP)
Dhaban Mandi.Petitioner

Versus

The Manager, ONGC
Northern Regional Business Centre, Dehradun,
Uttanchal, Dehradun.Respondent

For the Workman : Sh. M. S. Gors, President,
CITU, Chandigarh

For the Management : Sh. I. S. Sidhu and
G. S. Sidhu, Advocates

AWARD

Following reference was received from the Ministry of Labour, Government of India, vide No. L-30011/18/2004-IR(M) dated 2-6-2004, which reads as under :

"Whether the action of the management of Oil and Natural Gas Corporation Ltd., Tel Bhawan, Dehradun in terminating the services of Sh. Himmat Ram S/o Sh. Katku Ram, Ex-Contingent Worker (unskilled) w.e.f. 1-10-2003 without any notice and without any payment of retrenchment compensation, is illegal and unjustified? If so, to what relief the concerned workman is entitled and from which date?"

The notices of the reference were issued to the parties who appeared through their counsel. The workman filed the statement of his claim and the Management filed their written statement opposing the claim of the workman. The workman filed rejoinder and supported his pleadings with his affidavit, whereas the Management filed the affidavit of their Personnel Administrative Officer, Shri A.K. Sharma. Both the workman and Mr. A.K. Sharma, the witness of the Management, also came in the witness box. The parties also placed on record photo copies of a number of documents including the judgment of the Hon'ble High Court of Punjab and Haryana in the case of Sandeep Kumar Versus Municipal Corporation, Faridabad and that of the Presiding Officer, CGIT-I, Chandigarh.

Stated in brief the claim of the workman is that the workman had joined service of the Management on 1-12-2000 although he was given the appointment letter on 10-7-2001 only. He served the Management up to 1-10-2003 without break and thereby putting more than

240 days continues service and was getting monthly wages @ Rs. 3900/-. That the Management vide their No. FB/BM/RSN-2/Misc/2003 Dated 01-10-2003 retrenched the services of the workman without paying him compensation and wages for the notice period and without issuing him the notice. Thus, the Management violated the provisions of Section 25-F of the Industrial Disputes Act, to be called for short the "Act". That the Management started new exploratory drilling at Dangar District Bilaspur (HP) at a distance of 50 K.Ms from the site where the workman was working before his retrenchment. The workman being an experienced and trained person could better serve the Management as compared to the fresh appointee and they instead engaged fresh hands and thereby violated the provisions of Section 25-H of the Act. For these reasons the disengagement of the workman was illegal, bad in law and against the principle of natural justice. It is also the claim of the workman that he is entitled to be reinstated in service with all service benefits, such as, continuity of service, back wages and other benefits besides the costs of the litigation. He has supported his claim with documents, photocopies of which are placed on record as Annexure W/1 and W/2.

The claim of the workman has been opposed by the Management. It is the preliminary objection of the Management that since the engagement of the workman was for the execution of a particular job with a clear stipulation that after the completion of the job, the services of the workman shall stand terminated and the workman was bound by the terms of letter of his appointment, therefore, the reference is not maintainable. Moreover, since the retrenchment of the workman was affected on the completion of the project, therefore, the Management did not violate any provisions of the Act. As such, there is no dispute between the parties in terms of the Act. On merits it is the claim of the Management that the drilling at Dangar has commenced now as it could not be done because of non-shifting of the rig due to the agitation of the workmen. That the workman was engaged on need basis as daily rated workman and was paid higher wages for working 12 hours a day. Since the nature of the work was not permanent and could last up to the drilling operation, therefore, the work was shifted to another place after closing from the earlier project. The appointment letter was issued to the workman on the indulgence of the Conciliation Officer and in terms of that order the workman had accepted the job. No doubt he worked for more than 240 days but his engagement was regulated by the terms of letter of his appointment. The workman was paid wages @ Rs. 150/- per day, which was higher than the minimum wages and the same included for the weekly off days. The termination of the workman was in terms of the letter of the appointment, therefore, the same was not retrenchment and for that reasons also the workman was not entitled to retrenchment compensation, notice or wages for notice period. The

Management did not violate any provisions of the Act, and the claim made by the workman is unjustified. It is further their claim that the workman had no vested right of employment on the proposed exploratory drilling site at Dangar, since it was a new project. They have further denied the claim of the workman that he is a skilled and trained labourer. Their submission is that as per the rules, the Management has adopted the policy to engage Contractors for providing manpower. According to them, the claim of the workman is not maintainable and the reference should be answered against him.

The workman filed rejoinder but did not added anything new except that the letter of appointment cannot override the provisions of the Act. The workman has denied the claim made by the Management and reiterated whatever he has stated in his statement of claim.

From their pleadings it is clear that the parties have admitted facts to a large extent. It is admitted that the workman was engaged by the Management and that he served the Management for 240 days till 1-10-2003 when his services were terminated by the Management without giving him notice or wages in lieu of notice period or retrenchment compensation. The Management has taken the plea that the termination of the services of the workman was affected in terms of his letter of appointment, the contents of which are not denied by the workman. The letter of engagement of the workman dated 10-7-2001 has been placed on record as Annexure W/2, by the workman. It reads that the workman, Himmat Ram, is offered an opportunity for employment on the terms and conditions as a term based contingent workman. It further reads that the workman is being engaged in their project at Sundernagar which is a exploratory drilling project and which can be bound up at any time depending upon its results. It further reads that the engagement of the workman shall be for the period the activities remain in operation at Sundernagar and on the completion of the work his services shall be terminated without further notice. The letter of appointment further says that the workman shall be paid Rs.150/- per day for the work done inclusive of wages for the weekly rest. As per clause 3, if the requirement of the job ceases before the expiry of the stipulated period or the workman wants to leave the job any time before that, one month's notice or wages for one month in lieu thereof will be paid by either of the side. The workman was also to be governed by the standing orders besides the terms of the appointment order and he was given 10 days time to join the job.

A plain reading of the letter of appointment, the existence of which is not denied rather workman has relied there upon, clearly shows that the engagement of the workman was for Sundernagar exploratory drilling project and as per the terms and conditions of the engagement letter the services of the workman were to be taken only up to the time the drilling activities of the project continued at Sundernagar. The workman himself had admitted that his

services were terminated when the Management bound up the project at Sundernagar. As per the terms and conditions of the engagement letter, the workman was not entitled to a month's notice or wages for the notice period except in case the workman was to be disengaged during the period the activities of the Project continued or the workman himself wanted to leave the job in between and in that case one month's notice to be given by either of the side or was to pay wages for the notice period. That contingency did not take place in the case of the workman as he continued working for the Management till the activities of the Project continued at Sundernagar and he was disengaged only when the project at Sundernagar was bound up. Thus, there is no merit in the claim of the workman that since he had put in more than 240 days continued service 12 months preceding the date of termination of his services, therefore, he was entitled to one month's notice or wages for the notice period and the retrenchment compensation and that the Management admittedly did not do so, therefore, disengagement of the workman was bad in law. In this view of mine I rely upon the judgment of Hon'ble Supreme Court reported as JT 2003(3) SC 436 in the case S.M. Nilajkar and Ors. *Versus* Telecom District Manager, Karnataka.

The workman has taken another ground to challenge the disengagement. It is his claim that the Management had started another Project at Dangar about 50 K.Ms from Sundernagar and the workman being a trained skilled labourer, therefore, he had prior right to be taken on that project and the Management having failed to give opportunity to him, therefore, also they violated the provisions of Section 25-H of the Act. In my opinion this plea of the workman also does not have any merit for the reasons that the Project at Dangar was a separate and independent Project although that of the Management. Secondly, the workman has not shown as to when the Project at Dangar had started. Whether it had started before the issuance of the demand notice by the workman? The witness of the Management denied that the drilling operation at Dangar (Bilaspur) was carried out after Sundernagar immediately. The workman himself nowhere showed as to when the Project at Dangar had started. Thus, his claim for re-engagement in the Dangar Project is also not justified. Also this aspect could not be gone into since it is beyond the scope of the reference in hand.

For whatever has been discussed above, I am of the opinion that the workman has no case and he has failed to prove that the termination of his services with effect from 01-10-2003 was illegal and unjustified. His claim for re-engagement in Dangar Project is beyond the scope of the reference under hand. Therefore, he is not entitled to any relief. The reference is answered against him and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ. 387.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ओ. एन. जी. सी. लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, चंडीगढ़ के पंचाट (सदस्य सं. आई. डी. सं. 1139/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-2009 को प्राप्त हुआ था।

[सं. एल-30011/17/2004-आईआर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 387.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D. No. 1139/2005) of the Central Government Industrial Tribunal/Labour Court-II, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 13-1-2009.

[No. L-30011/17/2004-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. 1139/2k5

Registered on : 23-9-2005

Date of Decision : 2-1-2009

Chet Ram S/o Sh. Nikka Ram,
C/o Shri Suresh Kumar, General Secretary
ONGC Mazoor Union, Dhaban Mandi (HP)
Dhaban Mandi

....Petitioner

Versus

The Manager, ONGC
Northern Regional Business Centre, Dehradun,
Uttanchal, Dehradun

....Respondent

For the Workman : Sh. M. S. Gors, President,
CITU, Chandigarh

For the Management : Sh. I. S. Sidhu and
G. S. Sidhu, Advocates

AWARD

Following reference was received from the Ministry of Labour, Government of India, vide No. L-30011/17/2004-IR(M) dated 2-6-2004, which reads as under :

"Whether the action of the management of Oil and Natural Gas Corporation Ltd., Tel Bhawan, Dehradun in

terminating the services of Sh. Chet Ram S/o Sh. Nikka Ram, Ex-Contingent Worker (unskilled) w.e.f. 1-10-2003 without any notice and without any payment of retrenchment compensation, is illegal and unjustified? If so, to what relief the concerned workman is entitled and from which date?"

The notices of the reference were issued to the parties who appeared through their counsel. The workman filed the statement of his claim and the Management filed their written statement opposing the claim of the workman. The workman filed rejoinder and supported his pleadings with his affidavit, whereas the Management filed the affidavit of their Personnel Administrative Officer, Shri A.K. Sharma. Both the workman and Mr. A.K. Sharma, the witness of the Management, also came in the witness box. The parties also placed on record photo copies of a number of documents including the judgment of the Hon'ble High Court of Punjab and Haryana in the case of Sandeep Kumar Versus Municipal Corporation, Faridabad and that of the Presiding Officer, CGIT-I, Chandigarh.

Stated in brief the claim of the workman is that the workman had joined service of the Management on 1-12-2000 although he was given the appointment letter on 10-7-2001 only. He served the Management up to 1-10-2003 without break and thereby putting more than 240 days continues service and was getting monthly wages @ Rs. 3900. That the Management vide their No. FB/BM/RSN-2/Misc/2003 Dated 01-10-2003 retrenched the services of the workman without paying him compensation and wages for the notice period and without issuing him the notice. Thus, the Management violated the provisions of Section 25-F of the Industrial Disputes Act, to be called for short the "Act". That the Management started new exploratory drilling at Dangar District Bilaspur (HP) at a distance of 50 K.Ms from the site where the workman was working before his retrenchment. The workman being an experienced and trained person could better serve the Management as compared to the fresh appointee and they instead engaged fresh hands and thereby violated the provisions of Section 25-H of the Act. For these reasons the disengagement of the workman was illegal, bad in law and against the principle of natural justice. It is also the claim of the workman that he is entitled to be reinstated in service with all service benefits, such as, continuity of service, back wages and other benefits besides the costs of the litigation. He has supported his claim with documents, photocopies of which are placed on record as Annexure W/1 and W/2.

The claim of the workman has been opposed by the Management. It is the preliminary objection of the Management that since the engagement of the workman was for the execution of a particular job with a clear stipulation that after the completion of the job, the services of the workman shall stand terminated and the workman was bound by the terms of letter of his appointment,

therefore, the reference is not maintainable. Moreover, since the retrenchment of the workman was affected on the completion of the project, therefore, the Management did not violate any provisions of the Act. As such, there is no dispute between the parties in terms of the Act. On merits it is the claim of the Management that the drilling at Dangar has commenced now as it could not be done because of non-shifting of the rig due to the agitation of the workmen. That the workman was engaged on need basis as daily rated workman and was paid higher wages for working 12 hours a day. Since the nature of the work was not permanent and could last up to the drilling operation, therefore, the work was shifted to another place after closing from the earlier project. The appointment letter was issued to the workman on the indulgence of the Conciliation Officer and in terms of that order the workman had accepted the job. No doubt he worked for more than 240 days but his engagement was regulated by the terms of letter of his appointment. The workman was paid wages @ Rs. 150 per day, which was higher than the minimum wages and the same included for the weekly off days. The termination of the workman was in terms of the letter of the appointment, therefore, the same was not retrenchment and for that reasons also the workman was not entitled to retrenchment compensation, notice or wages for notice period. The Management did not violate any provisions of the Act, and the claim made by the workman is unjustified. It is further their claim that the workman had no vested right of employment on the proposed exploratory drilling site at Dangar, since it was a new project. They have further denied the claim of the workman that he is a skilled and trained labourer. Their submission is that as per the rules, the Management has adopted the policy to engage Contractors for providing manpower. According to them, the claim of the workman is not maintainable and the reference should be answered against him.

The workman filed rejoinder but did not added anything new except that the letter of appointment cannot override the provisions of the Act. The workman has denied the claim made by the Management and reiterated whatever he has stated in his statement of claim.

From their pleadings it is clear that the parties have admitted facts to a large extent. It is admitted that the workman was engaged by the Management and that he served the Management for 240 days till 1-10-2003 when his services were terminated by the Management without giving him notice or wages in lieu of notice period or retrenchment compensation. The Management has taken the plea that the termination of the services of the workman was affected in terms of his letter of appointment, the contents of which are not denied by the workman. The letter of engagement of the workman dated 10-7-2001 has been placed on record as Annexure W/2, by the workman. It reads that the workman, Chet Ram, is offered an opportunity for employment on the terms and conditions

as a term based contingent workman. It further reads that the workman is being engaged in their project at Sundernagar which is a exploratory drilling project and which can be bound up at any time depending upon its results. It further reads that the engagement of the workman shall be for the period the activities remain in operation at Sundernagar and on the completion of the work his services shall be terminated without further notice. The letter of appointment further says that the workman shall be paid Rs. 150 per day for the work done inclusive of wages for the weekly rest. As per clause 3, if the requirement of the job ceases before the expiry of the stipulated period or the workman wants to leave the job any time before that, one month's notice or wages for one month in lieu thereof will be paid by either of the side. The workman was also to be governed by the standing orders besides the terms of the appointment order and he was given 10 days time to join the job.

A plain reading of the letter of appointment, the existence of which is not denied rather workman has relied there upon, clearly shows that the engagement of the workman was for Sundernagar exploratory drilling project and as per the terms and conditions of the engagement letter the services of the workman were to be taken only up to the time the drilling activities of the project continued at Sundernagar. The workman himself had admitted that his services were terminated when the Management bound up the project at Sundernagar. As per the terms and conditions of the engagement letter, the workman was not entitled to a month's notice or wages for the notice period except in case the workman was to be disengaged during the period the activities of the Project continued or the workman himself wanted to leave the job in between and in that case one month's notice to be given by either of the side or was to pay wages for the notice period. That contingency did not take place in the case of the workman as he continued working for the Management till the activities of the Project continued at Sundernagar and he was disengaged only when the project at Sundernagar was bound up. Thus, there is no merit in the claim of the workman that since he had put in more than 240 days continued service 12 months preceding the date of termination of his services, therefore, he was entitled to one month's notice or wages for the notice period and the retrenchment compensation and that the Management admittedly did not do so, therefore, disengagement of the workman was bad in law. In this view of mine I rely upon the judgment of Hon'ble Supreme Court reported as JT 2003(3) SC 436 in the case S.M. Nilajkar and ors Versus Telecom District Manager, Karnataka.

The workman has taken another ground to challenge the disengagement. It is his claim that the Management had started another Project at Dangar about 50 Kms. from Sundernagar and the workman being a trained skilled labourer, therefore, he had prior right to be taken on that project and the Management having failed to give

opportunity to him, therefore, also they violated the provisions of Section 25-H of the Act. In my opinion this plea of the workman also does not have any merit for the reasons that the Project at Dangar was a separate and independent Project although that of the Management. Secondly, the workman has not shown as to when the Project at Dangar had started. Whether it had started before the issuance of the demand notice by the workman? The witness of the Management denied that the drilling operation at Dangar (Bilaspur) was carried out after Sundernagar immediately. The workman himself nowhere showed as to when the Project at Dangar had started. Thus, his claim for re-engagement in the Dangar Project is also not justified. Also this aspect could not be gone into since it is beyond the scope of the reference in hand.

For whatever has been discussed above, I am of the opinion that the workman has no case and he has failed to prove that the termination of his services with effect from 01-10-2003 was illegal and unjustified. His claim for re-engagement in Dangar Project is beyond the scope of the reference under hand. Therefore, he is not entitled to any relief. The reference is answered against him and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ. 388.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ओ. एन. जी. सी. लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, चंडीगढ़ के पंचाट (सदर्भ सं. आई. डी. सं. 1136/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-2009 को प्राप्त हुआ था।

[सं. एल-30011/15/2004-आईआर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 388.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D. No. 1136/2005) of the Central Government Industrial Tribunal/Labour Court-II, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 13-1-2009.

[No. L-30011/15/2004-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. 1136/2005

Registered on : 23-9-2005

Date of Decision : 2-1-2009

Suresh Kumar S/o Sh. Hukam Chand,
C/o Shri Suresh Kumar, General Secretary
ONGC Mazdoor Union, Dhaban Mandi (HP)
Dhaban Mandi.

....Petitioner

Versus

The Manager, ONGC
Northern Regional Business Centre, Dehradun,
Uttanchal, Dehradun.

....Respondent

For the Workman : Sh. M. S. Gors, President,
CITU, Chandigarh

For the Management : Sh. I. S. Sidhu and
G. S. Sidhu, Advocates

AWARD

Following reference was received from the Ministry of Labour, Government of India, vide L-30011/15/2004-IR(M) dated 7-6-2004, which reads as under :

"Whether the action of the management of Oil and Natural Gas Corporation Ltd., Tel Bhawan, Dehradun in terminating the services of Sh. Suresh Kumar S/o Sh. Hukam Chand, Ex-Contingent Worker (unskilled) w.e.f. 1-10-2003 without any notice and without any payment of retrenchment compensation, is illegal and unjustified? If so, to what relief the concerned workman is entitled and from which date?"

The notices of the reference were issued to the parties who appeared through their counsel. The workman filed the statement of his claim and the Management filed their written statement opposing the claim of the workman. The workman filed rejoinder and supported his pleadings with his affidavit, whereas the Management filed the affidavit of their Personnel Administrative Officer, Shri A.K. Sharma. Both the workman and Mr. A.K. Sharma, the witness of the Management, also came in the witness box. The parties also placed on record photocopies of a number of documents including the judgment of the Hon'ble High Court of Punjab and Haryana in the case of Sandeep Kumar Versus Municipal Corporation, Faridabad and that of the Presiding Officer, CGIT-I, Chandigarh.

Stated in brief the claim of the workman is that the workman had joined service of the Management on 1-12-2000 although he was given the appointment letter on 10-7-2001 only. He served the Management up to 1-10-2003 without break and thereby putting more than 240 days continues service and was getting monthly wages

@ Rs. 3900/-. That the Management vide their No. FB/BM/RSN-2/Misc/2003 Dated 01-10-2003 retrenched the services of the workman without paying him compensation and wages for the notice period and without issuing him the notice. Thus, the Management violated the provisions of Section 25-F of the Industrial Disputes Act, to be called for short the "Act". That the Management started new exploratory drilling at Dangar District Bilaspur (HP) at a distance of 50 K.Ms from the site where the workman was working before his retrenchment. The workman being an experienced and trained person could better serve the Management as compared to the fresh appointee and they instead engaged fresh hands and thereby violated the provisions of Section 25-H of the Act. For these reasons the disengagement of the workman was illegal, bad in law and against the principle of natural justice. It is also the claim of the workman that he is entitled to be reinstated in service with all service benefits, such as, continuity of service, back wages and other benefits besides the costs of the litigation. He has supported his claim with documents, photocopies of which are placed on record as Annexure W/1 and W/2.

The claim of the workman has been opposed by the Management. It is the preliminary objection of the Management that since the engagement of the workman was for the execution of a particular job with a clear stipulation that after the completion of the job, the services of the workman shall stand terminated and the workman was bound by the terms of letter of his appointment, therefore, the reference is not maintainable. Moreover, since the retrenchment of the workman was affected on the completion of the project, therefore, the Management did not violate any provisions of the Act. As such, there is no dispute between the parties in terms of the Act. On merits it is the claim of the Management that the drilling at Dangar has commenced now as it could not be done because of non-shifting of the rig due to the agitation of the workmen. That the workman was engaged on need basis as daily rated workman and was paid higher wages for working 12 hours a day. Since the nature of the work was not permanent and could last up to the drilling operation, therefore, the work was shifted to another place after closing from the earlier project. The appointment letter was issued to the workman on the indulgence of the Conciliation Officer and in terms of that order the workman had accepted the job. No doubt he worked for more than 240 days but his engagement was regulated by the terms of letter of his appointment. The workman was paid wages @ Rs. 150/- per day, which was higher than the minimum wages and the same included for the weekly off days. The termination of the workman was in terms of the letter of the appointment, therefore, the same was not retrenchment and for that reasons also the workman was not entitled to retrenchment compensation, notice or wages for notice period. The Management did not violate any provisions of the Act, and the claim made by the workman is unjustified.

It is further their claim that the workman had no vested right of employment on the proposed exploratory drilling site at Dangar, since it was a new project. They have further denied the claim of the workman that he is a skilled and trained labourer. Their submission is that as per the rules, the Management has adopted the policy to engage Contractors for providing manpower. According to them, the claim of the workman is not maintainable and the reference should be answered against him.

The workman filed rejoinder but did not add anything new except that the letter of appointment cannot override the provisions of the Act. The workman has denied the claim made by the Management and reiterated whatever he has stated in his statement of claim.

From their pleadings it is clear that the parties have admitted facts to a large extent. It is admitted that the workman was engaged by the Management and that he served the Management for 240 days till 1-10-2003 when his services were terminated by the Management without giving him notice or wages in lieu of notice period or retrenchment compensation. The Management has taken the plea that the termination of the services of the workman was affected in terms of his letter of appointment, the contents of which are not denied by the workman. The letter of engagement of the workman dated 10-7-2001 has been placed on record as Annexure W/2, by the workman. It reads that the workman, Suresh Kumar, is offered an opportunity for employment on the terms and conditions as a term based contingent workman. It further reads that the workman is being engaged in their project at Sundernagar which is a exploratory drilling project and which can be bound up at any time depending upon its results. It further reads that the engagement of the workman shall be for the period the activities remain in operation at Sundernagar and on the completion of the work his services shall be terminated without further notice. The letter of appointment further says that the workman shall be paid Rs. 150 per day for the work done inclusive of wages for the weekly rest. As per clause 3, if the requirement of the job ceases before the expiry of the stipulated period or the workman wants to leave the job any time before that, one month's notice or wages for one month in lieu thereof will be paid by either of the side. The workman was also to be governed by the standing orders besides the terms of the appointment order and he was given 10 days time to join the job.

A plain reading of the letter of appointment, the existence of which is not denied rather workman has relied there upon, clearly shows that the engagement of the workman was for Sundernagar exploratory drilling project and as per the terms and conditions of the engagement letter the services of the workman were to be taken only up to the time the drilling activities of the project continued at Sundernagar. The workman himself had admitted that his

services were terminated when the Management bound up the project at Sundernagar. As per the terms and conditions of the engagement letter, the workman was not entitled to a month's notice or wages for the notice period except in case the workman was to be disengaged during the period the activities of the Project continued or the workman himself wanted to leave the job in between and in that case one month's notice to be given by either of the side or was to pay wages for the notice period. That contingency did not take place in the case of the workman as he continued working for the Management till the activities of the Project continued at Sundernagar and he was disengaged only when the project at Sundernagar was bound up. Thus, there is no merit in the claim of the workman that since he had put in more than 240 days continued service 12 months preceding the date of termination of his services, therefore, he was entitled to one month's notice or wages for the notice period and the retrenchment compensation and that the Management admittedly did not do so, therefore, disengagement of the workman was bad in law. In this view of mine I rely upon the judgment of Hon'ble Supreme Court reported as JT 2003(3) SC 436 in the case S.M. Nilajkar and ors Versus Telecom District Manager, Karnataka.

The workman has taken another ground to challenge the disengagement. It is his claim that the Management had started another Project at Dangar about 50 K.Ms from Sundernagar and the workman being a trained skilled labourer, therefore, he had prior right to be taken on that project and the Management having failed to give opportunity to him, therefore, also they violated the provisions of Section 25-H of the Act. In my opinion this plea of the workman also does not have any merit for the reasons that the Project at Dangar was a separate and independent Project although that of the Management. Secondly, the workman has not shown as to when the Project at Dangar had started. Whether it had started before the issuance of the demand notice by the workman? The witness of the Management denied that the drilling operation at Dangar (Bilaspur) was carried out after Sundernagar immediately. The workman himself nowhere showed as to when the Project at Dangar had started. Thus, his claim for re-engagement in the Dangar Project is also not justified. Also this aspect could not be gone into since it is beyond the scope of the reference in hand.

For whatever has been discussed above, I am of the opinion that the workman has no case and he has failed to prove that the termination of his services with effect from 01-10-2003 was illegal and unjustified. His claim for re-engagement in Dangar Project is beyond the scope of the reference under hand. Therefore, he is not entitled to any relief. The reference is answered against him and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ 389.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ.एन.जी.सी. लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या आई. डी. सं.-1137/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-01-2009 को प्राप्त हुआ था।

[सं. एल-30011/13/2004-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 389.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.I.D. No.-1137/2005) of the Central Government Indus. Tribunal-cum-Labour Court-II, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workmen, which was received by the Central Government on 13-1-2009.

[No. L-30011/13/2004-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH**

Presiding Officer : Shri Kuldip Singh

Case I.D. No: 1137/2k5

Registered on: 23-9-2005

Date of Decision: 2-1-2009

Shyam Lal S/o Sh. Nand Lal, C/o Shri Suresh Kumar, General Secretatry ONGC Mazdoor Union, Dhaban Mandi (HP)
DHABAN MANDI ...Petitioner

Versus

The Manager, ONGC, Northern Regional Business Centre, Dehradun, Utranchal, DEHRADUN.

...Respondent

For the Workmen : Sh. M.S. Gors, President, CITU, Chandigarh

For the Management: Sh. I.S. Sidhu & G.S. Sidhu
Advocates

AWARD

Following reference was received from the Ministry of Labour, Government of India, vide L-30011/13/2004 IR(M) dated 7-6-2004, which reads as under :

"Whether the action of the management of Oil & Natural Gas Corporation Ltd, Tel Bhawan, Dehradun in terminating the services of Shri Shyam Lal S/o Shri Nand Lal, Ex-Contigent Worker (unskilled) w.e.f. 1-10-2003 without any notice without any payment of retrenchment compensation, is illegal and unjustified? If so, to what relief the concerned workman is entitled and from which date?"

The notices of the reference were issued to the parties who appeared through their counsel. The workman filed the statement of his claim and the Management filed their written statement opposing the claim of the workman.

The workman filed rejoinder and supported his pleadings with his affidavit, whereas the Management filed the affidavit of their Personnel Administrative Officer, Shri A.K. Sharma. Both the workman and Mr. A.K. Sharma, the witness of the Management, also came in the witness box. The parties also placed on record photo copies of a number of documents including the judgment of the Hon'ble High Court of Punjab and Haryana in the case of Sandeep Kumar Versus Municipal Corporation, Faridabad and that of the Presiding Officer, CGIT-I, Chandigarh.

Stated in brief the claim of the workman is that the workman had joined service of the Management on 1-12-2000 although he was given the appointment letter on 10-7-2001 only. He served the Management up to 1-10-2003 without break and thereby putting more than 240 days continues service and was getting monthly wages @ Rs. 3900. That the Management vide their No. FB/BM/RSN 2/Misc/2003 Dated 01-10-2003 retrenched the services of the workman without paying him compensation and wages for the notice period and without issuing him the notice. Thus, the Management violated the provisions of Section 25-F of the Industrial Disputes Act, to be called for short the "Act". That the Management started new exploratory drilling at Dangar District Bilaspur (HP) at a distance of 50 K.Ms from the site where the workman was working before his retrenchment. The workman being an experienced and trained person could better serve the Management as compared to the fresh appointee and they instead engaged fresh hands and thereby violated the provisions of Section 25-H of the Act. For these reasons the disengagement of the workman was illegal, bad in law and against the principle of natural justice. It is also the claim of the workman that he is entitled to be reinstated in service with all service benefits, such as, continuity of service, back wages and other benefits besides the costs of the litigation. He has supported his claim with documents, photocopies of which are placed on record as Annexure W/1 and W/2.

The claim of the workman has been opposed by the Management. It is the preliminary objection of the Management that since the engagement of the workman was for the execution of a particular job with a clear

stipulation that after the completion of the job, the services of the workman shall stand terminated and the workman was bound by the terms of letter of his appointment, therefore, the reference is not maintainable. Moreover, since the retrenchment of the workman was affected on the completion of the project, therefore, the Management did not violate any provisions of the Act. As such, there is no dispute between the parties in terms of the Act. On merits it is the claim of the Management that the drilling at Dangar has commenced now as it could not be done because of non-shifting of the rig due to the agitation of the workmen. That the workman was engaged on need basis as daily rated workman and was paid higher wages for working 12 hours a day. Since the nature of the work was not permanent and could last up to the drilling operation, therefore, the work was shifted to another place after closing from the earlier project. The appointment letter was issued to the workman on the indulgence of the Conciliation Officer and in terms of that order the workman had accepted the job. No doubt he worked for more than 240 days but his engagement was regulated by the terms of letter of his appointment. The workman was paid wages @ Rs. 150 per day, which was higher than the minimum wages and the same included for the weekly off days. The termination of the workman was in terms of the letter of the appointment, therefore, the same was not retrenchment and for that reasons also the workman was not entitled to retrenchment compensation, notice or wages for notice period. The Management did not violate any provisions of the Act, and the claim made by the workman is unjustified. It is further their claim that the workman had no vested right of employment on the proposed exploratory drilling site at Dangar, since it was a new project. They have further denied the claim of the workman that he is a skilled and trained labourer. Their submission is that as per the rules, the Management has adopted the policy to engage Contractors for providing manpower. According to them, the claim of the workman is not maintainable and the reference should be answered against him.

The workman filed rejoinder but did not add anything new except that the letter of appointment cannot override the provisions of the Act. The workman has denied the claim made by the Management and reiterated whatever he has stated in his statement of claim.

From their pleadings it is clear that the parties have admitted facts to a large extent. It is admitted that the workman was engaged by the Management and that he served the Management for 240 days till 1-10-2003 when his services were terminated by the Management without giving him notice or wages in lieu of notice period or retrenchment compensation. The Management has taken the plea that the termination of the services of the workman was affected in terms of his letter of appointment, the contents of which are not denied by the workman. The letter of engagement of the workman dated 10-7-2001 has been placed on record as

Annexure W/2, by the workman. It reads that the workman, Shyam Lal, is offered an opportunity for employment on the terms and conditions as a term based contingent workman. It further reads that the workman is being engaged in their project at Sundernagar which is a exploratory drilling project and which can be bound up at any time depending upon its results. It further reads that the engagement of the workman shall be for the period the activities remain in operation at Sundernagar and on the completion of the work his services shall be terminated without further notice. The letter of appointment further says that the workman shall be paid Rs. 150 per day for the work done inclusive of wages for the weekly rest. As per clause 3, if the requirement of the job ceases before the expiry of the stipulated period or the workman wants to leave the job any time before that, one month's notice or wages for one month in lieu thereof will be paid by either of the side. The workman was also to be governed by the standing orders besides the terms of the appointment order and he was given 10 days time to join the job.

A plain reading of the letter of appointment, the existence of which is not denied rather workman has relied there upon, clearly shows that the engagement of the workman was for Sundernagar exploratory drilling project and as per the terms and conditions of the engagement letter the services of the workman were to be taken only up to the time the drilling activities of the project continued at Sundernagar. The workman himself had admitted that his services were terminated when the Management bound up the project at Sundernagar. As per the terms and conditions of the engagement letter, the workman was not entitled to a month's notice or wages for the notice period except in case the workman was to be disengaged during the period the activities of the Project continued or the workman himself wanted to leave the job in between and in that case one month's notice to be given by either of the side or was to pay wages for the notice period. That contingency did not take place in the case of the workman as he continued working for the Management till the activities of the Project continued at Sundernagar and he was disengaged only when the project at Sundernagar was bound up. Thus, there is no merit in the claim of the workman that since he had put in more than 240 days continued service 12 months preceding the date of termination of his services, therefore, he was entitled to one month's notice or wages for the notice period and the retrenchment compensation and that the Management admittedly did not do so, therefore, disengagement of the workman was bad in law. In this view of mine I rely upon the judgment of Hon'ble Supreme Court reported as JT 2003(3) SC 436 in the case S.M. Nilajkar and Ors. Versus Telecom District Manager, Karnataka.

The workman has taken another ground to challenge the disengagement. It is his claim that the Management had started another Project at Dangar about 50 K.Ms from Sundernagar and the workman being a trained skilled

labourer, therefore, he had prior right to be taken on that project and the Management having failed to give opportunity to him, therefore, also they violated the provisions of Section 25-H of the Act. In my opinion this plea of the workman also does not have any merit for the reasons that the Project at Dangar was a separate and independent Project although that of the Management. Secondly, the workman has not shown as to when the Project at Dangar had started. Whether it had started before the issuance of the demand notice by the workman? The witness of the Management denied that the drilling operation at Dangar (Bilaspur) was carried out after Sundernagar immediately. The workman himself no where showed as to when the Project at Dangar had started. Thus, his claim for re-engagement in the Dangar Project is also not justified. Also this aspect could not be gone into since it is beyond the scope of the reference in hand.

For whatever has been discussed above, I am of the opinion that the workman has no case and he has failed to prove that the termination of his services with effect from 01-10-2003 was illegal and unjustified. His claim for re-engagement in Dangar Project is beyond the scope of the reference under hand. Therefore, he is not entitled to any relief. The reference is answered against him and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ. 390.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-1, धनबाद के पंचाट (संदर्भ संख्या 111/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-2009 को प्राप्त हुआ था।

[सं. एल-20012/488/1998-आई आर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 390.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 111/1999) of the Central Government Indus. Tribunal-cum- Labour Court No.- I, Dhanbad now as shown in the Annexure, in Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 13-1-2009.

[No. L-20012/488/1998-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.-I, DHANBAD

In the matter of a reference U/s. 10(1)(d) (2A) of I.D. Act. Reference No. 111 of 1999.

Parties : Employers in relation to the management of Barora Coal Washery of M/s. B.C.C. Ltd.

AND

Their workman.

Present : Shri H.M. Singh, Presiding Officer.

APPEARANCES

For the Employers : None

For the Workmen : None

State : Jharkhand

Industry : Coal

Dated the 26th December, 2008

AWARD

By Order No. L-20012/488/1998-IR (C-1) dated 4-6-1999 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Dispute Act, 1947 referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management to deny the date of birth recorded in the original Form 'B' Register or to send Sh. Anando Kumar to the Apex Medical Board, for the assessment of his date of birth/age is genuine & justified? If not, to what relief the concerned workman (Sh. Anando Kumar) is entitled to?"

2. The order of reference was received in this Tribunal on 15-6-1999. In spite of sending notice to the sponsoring union by registered post, no written statement has been filed on behalf of the workman till 30-10-2008. It, therefore, appears that neither the sponsoring union nor the concerned workman is interested to contest the case. This case is pending since 1999.

3. In such circumstances, I render a 'No Dispute' Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ. 391.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-1, धनबाद के पंचाट (संदर्भ संख्या 89/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-01-2009 को प्राप्त हुआ था।

[सं. एल-20012/521/1998-आई आर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 391.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 89/1999) of the Central Government Indus. Tribunal/Labour Court-I, Dhanbad now as shown in the Annexure, in Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 13-1-2009.

[No. L-20012/521/1998-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.-I, DHANBAD

In the matter of a reference U/s. 10(1)(d)(2A) of I.D. Act.
Reference No. 89 of 1999.

Parties : Employers in relation to the management of Bhalgora Area of M/s. B.C.C. Ltd.

AND

Their workman.

Present : Shri H.M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri D.K. Verma, Advocate

For the Workmen : None

State : Jharkhand

Industry : Coal

Dated, the 26th December, 2008.

AWARD

By Order No. L-20012/521/1998 (C-1) dated 15-6-1999 the Central Government in the Ministry of Labour has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :

SCHEDULE

“क्या कर्मचारी संघ की मांग कि श्री सुमार महतो कर्मकार ट्रस्ट भगत डीह को लि. की आनसेटर के पद पर नियमित किया जाए मान एवं न्यायोचित है ? यदि हाँ तो इस सम्बन्ध में क्या निर्देश आवश्यक है ?”

2. The order of reference was received in this Tribunal on 17-5-1999. In spite of several years passed no written statement has been filed on behalf of the sponsoring union. Thereafter, registered notice was sent, but even then none appeared on behalf of the workman to file written statement. It seems that neither the sponsoring union nor the concerned workman is interested to contest the case.

3. As such, I render a 'No Dispute' Award in the present case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 जनवरी, 2009

का.आ. 392.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. एयर इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या 1, एरनाकुलम के पंचाट (संदर्भ संख्या 69/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-01-2009 को प्राप्त हुआ था।

[सं. एल-11012/36/2005-आई. आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th January, 2009

S.O. 992.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 69/2006) of the Central Government Indus. Tribunal/Labour Court No. 1, Ernakulam now as shown in the Annexure, in Industrial Dispute between the employers in relation to the management of M/s. Air India and their workman, which was received by the Central Government on 13-1-2009.

[No. L-11012/36/2005-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri P.L. Norbert, B.A., LL.B., Presiding Officer
(Thursday the 4th day of December, 2008/ 13th Agrahayana, 1930)

I.D. 69 OF 2006

Union : The General Secretary,
Airlines Casual Employees
Association,
11/696, Near Pynadath Building,
Kariyad, Angamaly, Cochin - 683 589.
By Adv. Sri.T.C.Krishna.

Management : 1. The Chairman & Managing Director,
Air India Old Airport, Kalina, Santacruz
(East), Mumbai - 400 029.
2. The Executive Head, Air India,
Cochin International Airport,
Nedumbassery, Cochin - 683 111.

By Adv. Sri. Joseph Kodianthara.

This case coming up for final hearing on 01-12-2008, this Tribunal on 04-12-2008 passed the following.

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is :

“Whether the action of Air India in not considering the demands raised by Airlines Casual Employees

Association vide charter of demands dated 17-06-2004 (Copy enclosed) is just, fair and legal? If not, to what relief are the concerned workmen entitled and from what date?

2. The facts of the case in brief are as follows :— According to the union the Air India Limited is carrying out the ground handling work in Cochin International Airport Limited since 1999 on contract basis. For this purpose workers were employed by Air India on casual basis. The workers have been working continuously ever since 2001. But they are paid on daily rate basis without any other benefits like weekly off, bonus, provident fund, E.S.I. etc. The nature of work they are doing is permanent. But the management with the intention of denying benefits to workers have kept them as casual employees even now. This is an unfair labour practice. The union had submitted a charter of demands to the management claiming regularisation, wage payment on monthly basis, wage rise, weekly off and other statutory benefits. The denial of such benefits to labourers who have been working for many years is unfair and the workers are entitled to the claims made in the charter of demands.

3. According to the management the union cannot raise an industrial dispute on behalf of casual workers. It is not correct to say that the labourers were working continuously from 2001 onwards. It is by virtue of an agreement with Cochin International Airport Ltd. that Air India Ltd. has undertaken the ground handling work of the Airport. For the purpose of ground handling work the number of workers required may vary according to the arrival of flights. Therefore it cannot be said that all the employees will always be required. Casual workers are not entitled for regularisation. Since the workers are casual workers they cannot claim monthly salary. At present they are paid more than minimum wages. O.T. wages are also paid on pro-rata basis. Air India is governed by the Air India Employees' Provident Fund Act, 1925 and Air India Employees' Provident Fund Regulations, 1954. As per the Act and Regulations permanent employees alone are eligible to be members of provident fund. Air India has been incurring loss for the last few years and hence no bonus could be paid to casual employees. The contract with the CIAL is not for indefinite period. The remaining period of contract is only 2½ years. The management has provided rest room for the use of casual employees and toilet facility is available in the terminal building. The question of extending leave facilities does not arise as the workers are casual workers. They are not made to work continuously for 3 or 4 days as alleged by the union. Hence none of the claims in the charter of demands is allowable.

4. In the light of the above contentions the following points arise for consideration:

1. Whether the workers under the union have been working continuously for a long time?
2. Whether the act of the management in not regularising the workers in service amounts to unfair labour practice?

3. Whether the claims in the charter of demands are allowable?

The evidence consists of the oral testimony of WW 1 and documentary evidence of Exts.W1 to W-10 on the side of the union and MW1 and Ext.M1 on the side of the management.

5. Points 1 & 2 :—It is an admitted fact that about 80 workers who are members of the union have been working as casual employees under Air India Ltd. since 1999. They are attending to ground handling work in the Cochin International Airport Ltd. This work was undertaken by Air India Ltd. on contract for a period of 10 years. The ground handling work consists of carriage of baggages of passengers and cargo to and from aircraft and to ramp. According to the management the quantum of work force depends upon the work load. The work is not continuous but only intermittent so far as individual labourer is concerned. Even if the employees have worked continuously for 240 days or more during any year they cannot claim regularisation in service. It is also the case of the management that the work is not perennial in nature, but depends on the number of flights operating at Cochin International Airport and availability of contract work to the management.

6. As long as C.I.Airport is functioning flights will arrive and the need of labour to handle baggages and cargo is inevitable. It is beyond controversy that flights are always on the increase year after year and so do the passengers. Naturally the handling of baggages and cargo will proportionately increase. But it is for the principal employer (CIAL) to decide who should be entrusted the ground handling work. They may employ their own staff to do it or continue to entrust the work to contractors. It is not necessary that CIAL should always choose the same contractor for the work. Hence even if the work is perennial in nature it is true so far as CIAL is concerned, but not the contractor (Air India Ltd.). At the end of the contract period the work of the contractor comes to an end. Unless the contract is renewed from time to time Air India Limited cannot be certain that the work will be available always. Depending upon the terms of contract even before the expiry of the period of contract it can be cancelled on giving sufficient notice by either side. Hence so far as Air India Ltd. is concerned it cannot be said that the nature of the work is perennial. Ext.W7 Muster Roll, W9 punch card, Ext.W-10 wage statement for the period from 1999 to 2007 reveal that the workers have been working continuously. However Ext.W9 punch card shows that sometimes the employees are made to work continuously for 2 to 4 days round the clock. For example as per Ext.W9 worker Shaju was engaged on 03-04-2008 for ground handling work at 2 p.m. and he was relieved on 07-04-2008 at 6.30 p.m. only. Similarly he worked from 08-04-2008 to 14-04-2008 continuously. There are a few more similar instances in Ext. W9. As per Ext. W-10 wage statement of worker Ansar it is seen that he had done more hours of OT work during a day than normal working hours. The remuneration received by

him for the month of September, 1999 for normal work is Rs.1760 while for OT work, Rs.3650. Similar is the case in respect of many other periods. It has come out from the testimony of WWI the Union Secretary as well as casual employee, that it is the practice of Air India that workers are made to work continuously for 2 or 3 or 4 days without break, but only one attendance for 8 hours alone is recorded and the remaining period is treated as OT work. This was done to create break in service. MWI is the Manager (HRD) of Air India, Chennai. He admits (page-7) that workman Shaju had reported for duty on 03-04-2008 at 2 p.m. and he was relieved after the work on 07-04-2008 at 6.30 p.m. But he explains that between the commencement and the relieving the worker was allowed to go home and take rest. Therefore he was not working continuously for 5 days at a stretch. He also says that during the resting time he was given OT wages. Again he reiterates (page-15) that an employee who attended duty on 3rd April 2008 and checked out on 7th April 2008 would get only one day's attendance and the remaining period would be treated as OT. He further admits that though weekly off is given to casual workers they are not paid. No statutory holidays are also given to casual employees. This is the modus operandi of Air India in employing causal workers. It is to be noted that the circular of Beuro of Civil Aviation Security, Ministry of Civil Aviation says that the ground handling work shall not be entrusted to unauthorised private agencies (Ext.W4). Hence CIAL cannot entrust the work of ground handling to anyone other than authorised agencies. But that does not mean that Air India Ltd. is the only authorised agency.

7. It was argued by the learned counsel for the union that the causal employees have been working continuously from 2001 onwards. But they are denied statutory benefits and they are also not regularised in service which is an unfair labour practice. Section 2(ra) of I.D. Act defines unfair labour practice. The fifth schedule to I.D. Act refers to unfair labour practices. Part-I item No.10 reads :

"To employ workmen as badlis, casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privileges of permanent workmen".

It is true that these workers have been working since 1999 as causal labourers, but they are paid daily wages alone and no other benefits. But I have observed that the ground handling work is not a work of permanent nature so far as Air India Ltd. is concerned as the entrustment of work is not within the control of Air India and it is for CIAL to decide. There are no permanent hands doing ground handling work and consequently it is not correct to say there are vacancies of ground handling workers in the management establishment. The Air India Ltd. is a Central Government undertaking and they are governed by statutory rules and regulations for appointment of personnel on permanent basis. No permanent appointment can be made by a public sector undertaking bypassing rules of recruitment. The position is clarified in the following decisions referred to by the learned counsel for the management.

8. In Secretary State of Karnataka and others vs. Umadevi (2006) 4 SCC 1 = AIR 2006 SC 1806 it is held that absorption, regularisation or permanent continuance of temporary, casual or adhoc employees appointed dehors Rules and constitutional scheme of public employment, shall not be ordered by Courts. This is so even if the contract labourers or casual workers or adhoc workers have worked for a long period.

The same is the observation in Accounts Officer (A&I), APS RTC & Ors. V. K.V.Ramana and Ors AIR 2007 SC 1166.

In Punjab Water Supply and Sewerage Board v. Ranjodh Singh AIR 2007 SC 1082 it is observed that the rules of recruitment cannot be relaxed and the Courts/Tribunals cannot direct regularisation of temporary appointees dehors the rules, nor can direct continuation of service of a temporary employee (whether called casual, adhoc or daily rate employee) or payment of regular salaries to them.

In Ex. Engg., ZP Engg. Divn. v. Digambara Rao (2004) 8 SCC 262 it is held at para 20 that completion of 240 days of continuous service in a year may not by itself be a ground for regularisation. In the decided case respondents before the Hon'ble Supreme Court were originally employed on daily wage basis in relation to a scheme aimed at providing drinking water and construction of roads for the benefit of the rural poor in the district Gulbarga in the State of Karnataka. The employment commenced in the year 1993 and the services of the respondents were terminated in the year 1996. The workers, claiming regularisation, filed writ petitions before High Court of Karnataka. The writ petitions were dismissed. Appeals filed against the judgments were also dismissed by the Division Bench. Meanwhile references were received by Labour Court, Gulbarga and were adjudicated and labour court passed awards setting aside the orders of termination of service and directing re-instatement and payment of 50% of the backwages. This was challenged in writ petitions in the High Court, which were dismissed and against which appeals were filed and they were also dismissed. Hence appeals were filed before Hon'ble Supreme Court which were allowed making the above observation.

In C.S. Azad Krishi Evam Prodyogiki Vishwa-vidyalaya v. United Trades Congress (2008) 2 SCC 552 it is observed that continuous service for a period of more than 240 days by itself does not confer any right on a workman for regularisation in service. In the reported case the employees were engaged by the university in a project work. Hence the nature of the work was temporary and at the end of the project their services were dispensed with. It was therefore observed that no person who was a temporary or casual employee could be directed to continue permanently and by doing so it would be creating another mode of public employment which is not permissible in law.

9. In the light of the observations made by the Hon'ble Supreme Court it follows that a statutory body or a public sector undertaking cannot absorb or regularise casual or adhoc employees simply for the reason that they have

been working continuously for many years. Such establishment will have to follow the norms of recruitment, consider the age and qualification of persons to be appointed, the number of vacancies available etc. It follows therefore that the workers cannot claim regularisation of service as a matter of right. It is the discretion of the employer to follow the recruitment procedure and consider the candidature of a casual employee for a permanent appointment.

10. Point No. 3:—Regarding the remaining claims in the charter of the demands at present they are paid wages on daily basis and the claim is for payment of wages on monthly basis. Usually this is done when the workers are permanent. The casual workers are not paid on the days they do not work including holidays and therefore payment on monthly basis cannot be resorted to in the case of casual workers.

The next claim is -rise in wages. According to the union now the workers are paid Rs. 150 per day. It is seen from Ext. W 5 an order of High Court of Bombay that there is a direction to Air India to pay wages @ Rs.215 per day to casual workers who had approached before the High Court in Writ Petition. That wage rate is not adopted or implemented by the management so far as the casual employees of Air India is concerned. But there is no case that the workers are not paid minimum wages. It is for the management to consider hike in wages periodically. I am sure that the management will make earnest attempt to adopt the wage rate made mention in Ext.W5 so far as its casual employees are concerned.

It is not in dispute that wages are paid for over time work.

It is true that no weekly off or statutory holidays are given to casual workers. By virtue of their status as casual employees they are entitled for wages only for the days they work. Even though the casual workers are availing weekly off it is natural that they are not paid for weekly off days. They are not legally entitled to get wages for weekly off and other holidays as they are not working.

The next claim is regarding leave benefits. Being casual employees no leave rules are applicable to them and they cannot avail the benefit of leave as is applicable to permanent employees.

There is no PF coverage for the casual workers. According to the management Air India Limited has a separate P.F.Act namely Air India Employees' Provident Fund Act, 1925. But it covers only permanent employees. It is not correct to say that just because the Air India Employees Provident Fund Act and Regulations do not envisage casual workers they need not be given the benefit of PF. In the absence of any such provision resort should be made to Employees' Provident Funds and Miscellaneous Provisions Act, 1952. But it is pointed out by the learned counsel for the management that since Air India Ltd. is not a scheduled industry under schedule-I of the Act, 1952 the Act is not applicable to Air India. That being the position, the union will have to approach the Government to get the industry notified under the schedule to get coverage of the provisions of the Act to casual and adhoc employees of Air India Ltd.

The union is also claiming bonus for the employees. It has come out in the testimony of MW1 that bonus was paid to casual employees in the year 2002 and 2008, but not for the periods in between. The contention of the management is that the management was running at loss during the years prior to 2008 and that is why no bonus was paid. It cannot be disputed that irrespective of the profit or loss the workers are entitled to get bonus as per S.10 of Payment of Bonus Act, 1965 (J.K.Chemicals Ltd. v. Government of Maharashtra 1997-III-LLJ 578 Born). The management will have to consider that aspect and pay the arrears of bonus.

The claim for entry pass is reasonable as the casual workers are working in the security area. It is for the employer to see that proper pass is issued to its workers by the Bureau of Civil Aviation Security or any other concerned authority.

It is admitted by management that there is no canteen facility. Since large number of casual workers are engaged by Air India and they are working in Airport area food is not easily available and at reasonable rate. Unless some provision is made for food or canteen is provided, it will be extremely difficult for the workers to work continuously and sometimes without break.

It is in evidence that a rest room is provided, though small, in the Air Port.

However admittedly no separate toilet facility is provided. It is contended by the management that casual workers are using the toilets of passengers. It is not advisable to use the toilets meant for passengers and it is not fair to deny separate toilet facility to workers. It is an essential requirement for the workers who are working day and night in the Air Port.

11. For the reasons stated above except the claim for bonus, canteen and toilet facility, the other demands in the cluster of demands are not sustainable.

In the result an award is passed finding that action of the management of Air India in not favourably considering the charter of demands raised by the union is not illegal or unjustified except with regard to payment of bonus for the years 2003 to 2007, canteen and toilet facilities. The workers are not entitled to other claims in the charter of demands.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 4th day of December, 2008.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Union

MW1 - 18-06-2008 — Shaju.T.S.

Witness for the Management

MWI - 15-07-2008 — S. Iyyaswami.

Exhibits for the Union

- W1 - Charter of demand submitted by the Union.
 W2 - List of casual employees employed for the purpose of ground handling.
 W3 - Copy of Circular No.10 of 2001 of Bureau of Civil Aviation Security.
 W4 - Copy of Circular No.19 of 1999 of Bureau of Civil Aviation Security.
 W5 - Copy of Order dated 30-9-2004 of the High Court of Bombay in WP No. 1430/2004.
 W6 - Call Letter dated 19-07-1999 issued to Suresh P.V. by the management.
 W7 - Photocopy of Muster Roll for casual employees.
 W8 - Photocopy of allocation sheet for handyman and casual loaders (2 Nos.)
 W9 - Photocopy of Punch card of Sri.T.S. Shaju.
 W-10 - Photocopy of Wage statement of Ansar K.B. for the period from 1999 to July 2007.

Exhibit for the management

- Ex.M1 - Agreement for ground Handling between CIAL and Air India.

नई दिल्ली, 15 जनवरी, 2009

का.आ. 393.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या 1, धनबाद के पंचाट (संदर्भ संख्या सं. 118/1989) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-01-2009 को प्राप्त हुआ था।

[सं. एल-20012/142/1988-आई आर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 15th January, 2009

S.O. 393.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.118/1989) of the Central Government Indus.Tribunal-cum-Labour Court-No. 1, Dhanbad now as shown in the Annexure, in Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 15-1-2009.

[No. L-20012/142/1988-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT DHANBAD**

Present : Shri H.M. Singh, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of I.D. Act, 1947.

Reference No. 118 of 1989

Parties : Employers in relation to the management of Dahibari Colliery of M/s. B.C.C. L. and their workman.

APPEARANCES

For the Workman : Shri G. Prasad, Advocate

On behalf of the Employers : Mr. B.M. Prasad, Advocate.

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 30th December, 2008.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/142/1988-IR (C-1) dated, the 5th October, 1989.

SCHEDULE

“Whether the action of the management of Dahibari Colliery of M/s. Bharat Coking Coal Ltd. in stopping for employment Shri Siya Charan Chouhan w.e.f. 17-08-1982 is justified? If not, to what relief the concerned workmen entitled?”

2. The case of the workman as disclosed in his W.S. is that Shri Siya Charan Chouhan, son (adopted) of Late Ramswarup Nonia was provided with employment in place of his deceased father from May, 1982 under provision of NCWA-II. He was stoped from work by the Agent, Dahibari Colliery from 17-8-1982 without assigning any reason causing forceful idleness. Thereafter inspite of repeated representations made by him he was not allowed to resume his duty. As a result, a dispute was raised before the ALC(C), Dhanbad which ultimately resulted reference to this Tribunal for adjudication. It has been submitted on behalf on the workman that the action of the management in stopping Shri Siya Charan Chouhan from work w.e.f. 17-8-1982 is unjustified, arbitrary and illegal and the workman is entitled to reinstatement in employment w.e.f. 17-8-1982. It has been further submitted on behalf of the workman to pass an Award directing the management to reinstate the concerned workman with consequential benefits.

3. In the W.S. filed on behalf on the management is that one person named Shri Siya Charan Chouhan submitted an application for his employment as dependent son of the workman, named Ramswarup Nonia under clause 10.4.2 of NCWA-II enclosing therewith a purported death certificate of Shri Ramswarup Nonia. In good faith management processed his application believing his declaration to be correct and gave him employment by letter dated 20/21-5-1982. The concerned workman could hardly work for three months as because his false representation came to light and Shri Ramswarup Nonia, who was absenting from his duty due to his sickness without information. Subsequently on 9th September, 1982 he came to the colliery and submitted an application to the Agent of the Colliery stating therein that he was still alive and the concerned workman Shri Siya Charan Chouhan is not his son. A large number of workmen came to the office of the Agent of Dahibari Colliery alongwith Shri

Ramswarup Nonia and demanded serious action to be taken against the concerned workman. The matter was highlighted in the Newspaper 'Awaj', FIR was lodged to the police, A preliminary enquiry was held regarding various complaints against the concerned workman and it was established that Shri Ramswarup Nonia was alive and the concerned workman was not his son. Thereafter the initial employment was illegal and void. The concerned workman was not the son of Shri Ramswarup Nonia, so his employment was illegal and invalid and that Shri Ramswarup Nonia is still alive. Therefore, he was stopped from his duty w.e.f. 17-8-1982. It has been prayed on behalf of the management to pass an Award rejecting the claim of the concerned workman.

4. Both the parties have filed their respective rejoinder admitting and denying some of the contents of each other's W.S.

5. In order to substantiate their claim management have produced and examined Digambar Bhattacharjee as MW-1 and also produced and examined wife of Ramswarup Nonia as MW-2.

6. Workmanside also produced Siya Charan Chouhan, Abdul Sattar and Bikhari Chouhan who have been examined as MW-1, MW-2, and MW-3 respectively.

7. Main argument advanced on behalf of the workman is that cost of Rs.500/- awarded on 31-3-2005 against the management has not been paid and management had taken frequent adjournments and as per amendment of CPC Order XVII, Sub-rule i, Rule (2) which has been amended by the CPC (A) Act, 1999 (Act of 1999) Sub-Rule (2) of Rule 1 in which it has been mentioned that in every such case the court shall fix a day for the further hearing of the suit, and shall make such orders as to costs occasioned by the adjournment or such higher costs as the Court deems fit. He argued that this provision is mandatory but management has not mandatory but management has not paid the cost. So it had violated the order of Court and in this respect it has been submitted that in 2006(108) F.L.50 at page 54 Hon'ble Supreme Court held that adjournment under I.D. Act, there is no specific rule. Another ground which has been argued by the Ld. Counsel for the management regarding citing of Salem Advocate Bar Association case has not been published in 2005(4)JLJR169. He also argued that Hon'ble Apex Court in Salem Advocates case in para 31 of page 179 and in para 8 at page 202 have recommended cost and the argument has been advanced that the then Presiding Officer by order dt. 21-3-2003 directed both the parties to sit together and sort out the documents filed in Ref. No.71/88 so that the same may be cited and considered by the Tribunal but Mr. B.M. Prasad refused to carry out orders of the Tribunal and the workman by its petition dated 2-7-2003 brought this fact to the notice of the Hon'ble Tribunal which is on the record of the Tribunal. These are the instances of arrogancy on the part of Mr. B. M. Prasad for disregarding the order of the Tribunal and Mr. B. M. Prasad read deliberately false journals.

8. Regarding facts of adoption of Siya Charan two witnesses have proved the facts of adoption. This has not been accepted wrongly and as per Section 6 and 12 of

Hindu Adoption and Maintenance Act, 1956 he is adopted son of Ramswarup Nonia and registration is not required at all and in such cases burden of proving of adoption is on the person, who disproves the adoption and not on the persons who asserts. Ld. Counsel for the workman referred 1981 All LJ No. C 587, 1978(48)Cut-L.T. 459, AIR 1973 Orissa 3(5) D.B. In this respect Ld. Counsel for the management argued that adoption deed has not been proved before the Court so it cannot be construed that the concerned workman was adopted son of Ramswarup Nonia because adopted son will lose natural father and mother in its adoption unless adoption deed is proved. In this respect Ld. Counsel of workman also argued that in the Bihar Vidyalaya Pariksha Samity Certificate No. 84C/384426 his father's name has been mentioned as Ram Swarup Nonia and his date of birth has been mentioned as 18th January, 1968.

9. Regarding age he also argued that Medical Officer has found his age as 18 years and as per record of Matriculation Certificate he is not under age at the time of appointment. All records have been seen by the management but they have not considered it. He also argued that Hon'ble Supreme Court in the case of Mohan Mahtovrs-M/s. BCCL reported in 2007(4) JLJR- 144 has made it very clear that minor has got right to get a job under the N.C.W.A. In this respect Ld. Counsel for the management argued that the concerned workman has not been adopted by Ram Swarup Nonia because of the fact that MW-2 who is mother of the concerned workman and wife of Ramswarup has stated on oath that the concerned workman has not been adopted and he is not adopted child. She has stated that her husband became made in the year 1982 because of which he had left working in the colliery and then Siya Charan Chouhan who is relative has got service of the company falsely declaring to be the son of her husband. After sometime her husband has returned back and then management stopped the concerned workman from working on the ground that he has got employment fraudulent means claiming to be the adopted son of Ram Swarup Nonia. Ld. Counsel for the management argued that though there is police report that Ramswarup Nonia had died and it has been mentioned in the certificate issued by village Mukhiya that Siya Charan Chouhan is the son of late Ram Swarup Nonia but it has got no meaning while Kushri Devi, wife of Ram Swarup Nonia alleged to be the adopted mother and father respectively has stated as MW-2 that Ram Swarup Nonia has not adopted him. It shows that he was not the adopted son of Ram Swarup Nonia.

10. Ld. Counsel for the workman has referred to a decision referred to in 1983 Lab I. C. 1694 in which Hon'ble Supreme Court held if termination of services of workman is in total breach of principles of natural justice-Delay in raising industrial dispute by workman-Awarding of full back wages was not justified. Ld. Counsel for the workman also referred another decision reported in SCLJ Vol. 10 page 304 in which Hon'ble Supreme Court laid down that workman appointed for period of probation of six months on basis of letter of appointment of his service-Workman discharged from service w.e.f. date to which his date of probation was extended-Standing Order of company

providing that probationer is one who has not completed two months service-held that terms of standing order would prevail over corresponding, terms in contract of service. Ld. Counsel also referred to a decision reported in 1999 Lab I.C. 3317 in which requisites of valid adoption has been prescribed. Ld. Counsel also referred Industrial Employment (S.O.) Act, 1946 Rule 17 Clause (o) giving false information regarding one's name, age, father's name, qualification of previous service at the time of the employment be taken as Misconduct. He has also referred 2007 JJJR Supreme Court page 145 in which Hon'ble Supreme Court laid down that a public sector undertaking is not only to act fairly but also reasonably and bonafide.

11. Regarding father's name in Bihar Vidyalaya Pariksha Samity Certificate mentioned as Ram Swarup Nonia does not confer any right to the concerned workman to become adopted child when he has declared and given false fabricated certificate to the management.

12. No Succession certificate has been filed by the concerned workman to prove that he is successor of Ram Swarup Nonia as he has filed a false certificate of Mukhiya of village Chiraili. Mukhiya of that village has got no right to grant such succession certificate of any person who is alleged to be dead.

13. The concerned workman WW-1 has stated in cross-examination that he was adopted son of Ram Swarup Nonia whose wife is Kushri Devi and Kushri Devi as MW-2 has stated that Siyaram Chouhan is not her adopted son and no adoption has been taken by her husband Ram Swarup Nonia who has become made and left working in the colliery and after fabricating false certificate Siya Ram Chouhan has got employment. Thereafter her husband again appeared and the concerned workman has been stopped from work by the management after enquiry on the ground that the concerned workman has furnished false and fabricated documents. Abdul Sattar, WW-2 is said to be the witness of adoption. It shows that he is Muslim and the concerned workman is Hindu. It shows that he has given false evidence because in the religious function of Hindu witness of muslim does not seem to be genuine. WW-2 has stated in cross-examination there is no paper to show that there was adoption and there was function relating to adoption. Siya Charan Chouhan is matric pass and in the school register as well as in the certificate of matriculation the name of father of Siya Charan Chouhan has been noted.

14. This fact has further been proved by the evidence of Bhikhari Chouhan, WW-3 father of Siya Charan Chouhan. WW-3 in course of his evidence in examination-in-chief has deposed before this Tribunal that Siya Charan Chouhan is his son and he has been adopted by his younger brother Ram Swarup Nonia. It only shows that Siya Charan Chouhan is the son of Bhikhari Chouhan who is elder brother of Ram Swarup Nonia. As Ram Swarup Nonia became mad as per evidence given by his wife MW-2 Kushri Devi, Siya Charan Chouhan fabricated certificates from village Mukhiya and educational certificate mentioning the name of Ram Swarup Nonia as his father. As regards

matriculation certificate marked as Ext. W-3, WW-3 has stated that the above certificate was not produced before the management on any point of time and also he does not know if the concerned workman Siya Charan Chouhan has ever informed the management that he is matriculate. It shows that Matriculation certificate has been fabricated after he was removed from support his case.

15. Applications have also been given by the employees that the concerned workman has given false certificate Ram Swarup Nonia himself appeared at his working place and enquiry was conducted and on enquiry it was found that Ram Swarup Nonia is not dead on which basis the concerned workman claims appointment on compassionate ground.

16. Moreover, compassionate appointment cannot be given when Ram Swarup Nonia's wife Kushri Devi is already working and she has not stated any employment be given to his son on compassionate ground.

17. In a decision reported in 2008 Lab I.C. Hon'ble Supreme Court laid down the following :—

“Termination of Service—Bank Employee—Appointment secured on false caste claim—Termination of service is valid—Facts that the security of caste certificate was done after long delay, Scrutiny Committee took long time and appointee had put in long service—In consequential—Equity sympathy or generosity has no place where original appointment rests on a false caste certificate.”

In this respect Hon'ble Court referred the following cases :

“2007 AIR SCW 3111, AIR 2007 SC 2048

2007 (3) AIR Jhar R 380, 2007 (4) AIR Bom R 180 : 2007 Lab IC 2482 (Rel. on)

2007 AIR SCW 5822 : AIR 2007 SC 3211 :

2007 Lab IC 4455 : 2007 (6) ALJ 353 (Disting.)

2007 (8) Scale 108 (Disting.)

2006 AIR SCW 6093, AIR 2007 SC 295,

2007 (1) AIR Bom R 557 (Foll).

2005 AIR SCW 4094 : AIR 2005 SC 3330 (Rel. on).

2005 AIR SCW 4477 : AIR 2004 SC 1469

2004 Lab IC 556 (Rel. on).

2003 AIR SCW 4912, AIR 2003 SC 4268 (2003) All LJ 2486 (Rel. on). (2003) 8 SCC 319 (Foll).

1994 AIR SCW 4116, AIR 1995 SC 94 (1889) AC 337.”

I do not find any merit in the claim of the concerned workman and accordingly following Award is rendered :—

“The action of the management of Dahibari Colliery of M/s. Bharat Coking Coal Ltd. in stopping from employment Shri Siya Charan Chouhan w.e.f. 17-08-1982 is justified. Consequently the concerned workman is not entitled to get any relief.”

H. M. SINGH, Presiding Officer

नई दिल्ली, 16 जनवरी, 2009

का.आ. 394.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 113/02) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-1-2009 को प्राप्त हुआ था।

[सं. एल-22012/172/2001-आई आर (सी एम-II)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 16th January, 2009

S.O. 394.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 113/02) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the management of Sohagpur Area of SECL, and their workmen, received by the Central Government on 16-1-2009

[No. L-22012/172/2001-IR (CM-II)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/113/02

Presiding Officer: Shri C.M. Singh

The Secretary,
R.K.M.S. Branch Subash Mines,
PO Dhanpuri
Shahdol

....Workman/Union

Versus

The General Manager,
Sohagpur Area of SECL,
PO Dhanpuri,
Shahdol

.....Management

AWARD

Passed on this 23rd day of December, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/172/2001-IR(CM-II) dated 12-8-02 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the Chief General Manager, Sohagpur Area of SECL at PO Dhanpuri, Distt. Shahdol in not regularising Shri Horilal Kewat, Tripman Clerk Grade III as Attendance Clerk Grade II w.e.f. 6/1995 is legal and justified? If not, to what relief the workman is entitled to?”

2. The case of the workman in brief is as follows : That workman Shri Horilal was appointed as General Mazdoor Category-I at Vivek Nagar Colliery of Chachai Sub-Area of SECL in September, 1988 and thereafter he was deployed as Attendance Clerk Grade-II on 2-6-92. He was doing the job of attendance clerk in time office upto 12-1-95. He was promoted from General Mazdoor Fitter Helper Category-II in the month of September, 1992 and was further regularised as Tripman clerk category-III w.e.f. 17-1976/1995. He submitted his representation to the management for change of his designation as General Mazdoor Grade-III instead of Tripman clerk. But the management did not consider his representation. As per circular of the management, all those workmen who have completed more than 190/240 days in calendar year should be regularized. The pay and cadre of Tripman and Clerk is the same but there is no further channel for promotion for the post of Tripman whereas there is a channel of promotion from the post of clerk. In the other cases, the management has considered the representations made by the others and designation of various Tripman clerks Grade-III has been changed to Fitter Clerk Grade-III. It is, therefore, prayed by the workman that he is entitled for regularization as Attendance clerk Grade-III w.e.f. 6/1995 with all consequential relief of arrears of wages.

3. The case of the management in brief is as follows : That the DPC was held on 23-8-92 to examine the cases of eligible Departmental candidates of Vivek Nagar Incline for considering their cases for promotion to higher categories. That DPC considered the case of workman Shri Horilal and recommended the post of Fitter Helper Category II. Thereafter the workman was selected to the post of Tripman accordingly vide office order dated 19-6-95. He was transferred vide order No. 1491 dated 6-1-96. The workman was all along working as Tripman. He did not work as clerk. Therefore his claim for promotion/regularising as Attendance Clerk Grade II w.e.f. 6/1995 is not maintainable. He was never asked to do the job of attendance clerk. The workman is not entitled to be regularized as Attendance Clerk Grade-II since 1995.

4. Vide order dated 30-1-08 passed on the ordersheet of this reference proceeding, the reference proceeded exparte against the workman.

5. The management in order to prove their case filed affidavit of their witness Shri Charan Singh, then working as Sub Area Manager in Amlai Open Cast Mine.

6. I have heard Shri A.K. Shashi, Advocate for the management. I have very carefully gone through the evidence on record.

7. The case of the management is fully proved from the uncontroverted and unchallenged affidavit of their witness Shri Charan Singh. The reference, therefore, deserves to be decided in favour of the management and against the workman without any orders as to costs.

8. In view of the above, the reference is decided in favour of the management against the workman Shri Horilal without any orders as to costs holding that the action of the Chief General Manager, Sohagpur Area of SECL at PO Dhanpuri, Distt. Shahdol in not regularising Shri Horilal Kewat, Tripman Clerk Grade III as Attendance Clerk Grade II w.e.f. 6/1995 is legal and justified and consequently the workman is not entitled to any relief.

9. Let the copies of the award be sent to the Governemtn of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 16 जनवरी, 2009

का.आ. 395.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै एरोफ्लोट रशियन एअरलाइंस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या 2, मुम्बई के पंचाट (संदर्भ संख्या 2/56 का 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-1-2009 को प्राप्त हुआ था।

[सं. एल-11012/16/2002-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 16th January, 2009

S.O. 395.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/56 of 2002) of the Central Government Industrial Tribunal-cum-Labour Court, No.2 Mumbai now as shown in the Annexure, in Industrial Dispute between the employers in relation to the management of M/s. Aeroflot Russian Airlines and their workman, which was received by the Central Government on 16-1-2009.

[No. L-11012/16/2002-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

Present: A.A. LAD, Presiding Officer

Reference No. CGIT-2/56 of 2002

Employers in Relation to the Management of

Aeroflot Russian Airlines

The General Manager,
M/s. Aeroflot Russian Airlines,
Mumbai Branch, Tulsiani Chambers,
Ground floor, Nariman Point,
Mumbai-400021.

...First Party

V/s.

Their Workmen

Mrs. Marilyn Fernandez,
Mhada Building No. 7, Flat No. 303,
Opp. Tarapur Tower, Lokhandwala Link Road,
Andheri (West), Mumbai-400083. ...Second Party

APPEARANCE

For the Employer : Mr. P.S. Shetty, Advocate.
For the Workmen : Mr. Vinay Menon, Advocate.

Date of reserving the Award : 12-6-2008.

Date of passing the Award : 15-12-2008.

AWARD

The matrix of the facts as culled out from the proceedings are as under :

1. The Government of India, Ministry of Labour by its Order No. L-11012/16/2002-IR (C-1) dated 15th July, 2002 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of M/s. Aeroflot Russian Airlines in dismissing Mrs. Marilyn Fernandez from service vide letter dated 29-3-2001 is legal and justified? If not, to what relief is the concerned workman entitled?"

2. To substantiate the subject matter of the reference Second Party Workmen filed Statement of Claim at Exhibit 8 making out the case that she joined the services of the 1st Party at Mumbai on 15th July, 1987 and worked thereafter continuously till her services were terminated. She claims that, she was a permanent staff member of the 1st Party. Then by order dated 24th February, 2001 she was directed to resume duties at the Airport office. 2nd Party submitted that, Mr. Igor Ivliev, who is citizen of Russia, was Manager Western India, came as a Manager of the 1st Party at Mumbai being enthusiastic about introducing new work cultures, ideas and working method in the office of the 1st Party at Mumbai, started harassing the employees working at Bombay Branch. Some of them were not matching with the Indian location so she objected some of the ideas introduced by Mr. Igor Ivliev. He did not like it and he started harassing the concerned workman and than she received the termination notice dated 29th March, 2001. She received letter of termination leveling certain allegations. In fact, said allegations were never brought to the notice of the concerned workman. No opportunity was given to the concerned workman to explain the allegations leveled in the termination notice. Neither charge sheet was served nor show cause notice given to her. Straight away she was terminated without following due process of law. Even amount of Rs. 1,28,215 paid to her as legal dues is not proper and correct amount as required under Industrial

Disputes Act, 1947 since retrenchment compensation was not included in it. So she states that, said termination notice dated 29th March, 2001 be declared as null and void and 1st party be directed to reinstate her with continuity of service and payment of backwages.

3. She further states that, she tried to secure the job but unable to get it since action of termination was punitive mentioning as 'loss of confidence' of the First Party which was stigma on the service carrier of the 2nd Party.

4. This is disputed by the 1st Party by filing Written Statement at Exhibit 7 stating that, Reference cannot be made by the Labour Ministry without consulting the Government of India. 1st Party is Corporate body of a foreign state and it cannot be prosecuted in the Reference like this. It is further stated that, she was appointed on contract basis. Contract was renewed year to year and last contract expired on 31st December, 2000. It was not renewed thereafter. During that, period 1st Party found work of the 2nd Party "unsatisfactory". 1st Party also noted that, she lost confidence of the 1st Party. So by termination notice dated 29th March, 2001 she was terminated with effect from 31-3-2001 and all legal dues were paid to her. It is further stated that, the 1st Party is engaged in providing airlines services. A passenger by name Mrs. Tuulia Matikainen who traveled from Helsinki to Mumbai via Moscow approached the workman concerned with a request that, she is having a return ticket from Mumbai to Helsinki via Moscow of 1st Party but she would like to board plane from Kathmandu instead of Mumbai and requested that necessary endorsement to that effect be made on her ticket. It is alleged that, the concerned Workman on 29th December, 2000 after receiving the above request from the passenger, sent a telex message to Helsinki for ascertaining the difference in fare to be charged and to be collected from the passenger. This telex message sent by the workman concerned could not get immediate response from Helsinki. In the meanwhile on 3rd January, 2001, abovenamed passenger came to the establishment at Mumbai and approached the concerned Workman and when informed that, there was no response till 3-1-2001 from Helsinki, the passenger became upset and angry. The concerned Workman therefore, repeated the earlier telex to Helsinki with addition of urgency. The passenger was requested to come next day i.e. on 4th January, 2001 and accordingly the passenger came on 4th January, 2001. By that time, reply came from Helsinki with instructions that, difference in fare would be \$ 200 which was to be collected from the passenger. Accordingly, the workman concerned collected \$ 200 in Indian rupees i.e. 9300 from the above named passenger and made an endorsement on the ticket of the passenger to that effect. As a part of her duty the workman concerned was under obligation to issue Miscellaneous Charge Order (MCO) to the passenger and keep counterfoil in the office. Workman concerned was also required to deposit the said amount of Rs. 9380/- so collected on the

same day with the Cashier of the 1st Party and was required to make an entry to that effect in the register maintained for the purpose. However, the concerned Workman neither deposited said amount on 4-1-2001 with the Cashier nor made any entry in the register kept for that purpose. It was alleged that, she misappropriated the above amount till the said amount was deposited. It is further stated that, normally the concerned Workman could have succeeded in misappropriate the above amount and at the same time gone scot free. However, to her bad luck on 27th January, 2001 when the above named passenger approached the Airlines office at Khatmandu, the Khatmandu office sought from Bombay Office verification of the endorsement made on her ticket after accepting \$ 200 from the passenger. They sought verification by Telex message dated 27th January, 2001. It was found that, the said amount was not deposited in the office of the 1st Party at Bombay. The Manager of the 1st party at Bombay office received a phone call from Mr. Sokolov, the Manager of the 1st Party at Khatmandu in respect of the above passenger. On the next working day i.e. on 29th January, 2001 he confronted the workman concerned with information received. The Workman concerned in order to cover up her fraudulent act, made entry in the MCO/Ticket Register in the column which is generally left blank between entries of two months. In the said Register concerned Workman fraudulently show collection of the amount from the passenger on 24th January, 2001 although she collected it on 4-1-2001. The entry cannot be shown on the register of 4-1-2001 because entry was made date wise and the only date which could be entered was 24-1-2001 because the previous day entry in the said register was also of 24-1-2001. It was alleged that, therefore, concerned Workman made said entry fraudulently. It is alleged that, she made said entry in her own handwriting. It is alleged that, interestingly on 29-1-2001 the concerned Workman having been caught in the fraudulently and dishonest act and found deposited the amount of Rs. 9380 with the Cashier.

5. It is further contended by the 1st Party that, by order dated 24th February, 2001 the concerned Workman was transferred as stated above from the Town office to Airport office at Bombay and after ascertaining the above facts leading to the above fraudulent and dishonest acts, the services of the concerned workman were terminated by notice dated 29th March, 2001 giving effect from 31-3-2001. At the time she was paid her dues in full and final settlement which she accepted on 31st March, 2001.

6. It is stated that the case made out by the 2nd Party that, she was removed arbitrarily and without following due process of law is not correct. Since she was contract employee question of issuing charge sheet or question of proceeding with the enquiry against her does not arise. It is stated that, the concerned workman misappropriate large amount of the 1st Party in the past also and looking to her work and conduct Management concluded that, she lost

the confidence of the Management and the Management decided to terminate her services which is just and proper. It is denied that, the incident referred above is vague and cooked story just to place it on record to terminate the services of the concerned workmen. It is stated that, the services of the concerned workman were terminated as per the provisions applicable to the concerned workman. It is stated that, the concerned workman is not entitled for any leniency. It is submitted that, the reference may be rejected since she is not entitled for any reliefs.

7. Then 2nd Party filed rejoinder at Exhibit 15 ignoring story made out by the Management about charge of ticket of passenger and misappropriation of the amount collected from her. It is pertinent to note that, the concerned workman has not touched said point in her rejoinder. Even she has not referred to nature of her appointment and comment upon the case of made out by the 1st Party that, she was appointed on contract basis and her contract is not renewed after 31st December, 2000.

8. In view of the above pleadings Issues were framed by my Ld. Predecessor at Exhibit 12 which I answer as follows :

ISSUES

FINDINGS

- | | |
|---|-----------|
| 1. Whether Management proves that that the Reference is not maintainable for want of consent of Central Government as averred in Written Statement para 1? | No |
| 2. Whether the action of the Management of M/s. Aeroflot Russian Airlines in dismissing Mrs. Marilya Fernandez from service vide letter dated 29-3-2001 is legal and justified? | Yes |
| 3. What relief the concerned Workmen are entitled to? | No Relief |

REASONS:

ISSUE NO.1:

9. The Management has tried to make out the case that, Reference is not maintainable because, 1st Party is a undertaking of foreign body and to prosecute such a body, permission of the Central Government is necessary. Since there is not permission of the Central Government to prosecute 1st Party, the Reference is not tenable and is bad in law.

10. As far as this contention is concerned, no specific case is made out by the 1st Party. In the evidence 1st Party try to refer that point in the written arguments filed at Exhibit 26. But it is not specifically mentioned how Reference is bad in law and under which provisions permission of the Central Government is necessary to prosecute 1st Party? Even no any provisions is pointed out which debar the Reference like this in the absence of the consent of the Government of India. Besides

it is to be noted that the Reference is made by the Central Government itself but by the Labour Ministry. That means Government of India is involved in making Reference i.e. through Ministry of Labour. Besides if at all decision of making Reference is not liked by the 1st Party, Then it was having option to challenge the decision of making the Reference. In my considered view this Court cannot consider this grievance of the 1st Party that on the decision of the Government of India, Labour Ministry, making Reference is not legal. Making Reference is a prerogative of the Government of India, Ministry of Labour. The Government of India has referred this Reference for adjudication. According to me, this Court cannot adjudicate on the decision taken by the Government of India, Ministry of Labour in sending Reference for adjudication. As stated above, no specific rule is pointed out which comes in the way of the Government of India, Ministry of Labour or in the way of the 2nd Party in making Reference. In this premises I am of the opinion that, we have to conclude that, Reference is maintainable as considered by the Government of India and separate consent of the Central Government is not necessary. Accordingly I answer this Issue to that effect.

ISSUE No. 2:

11. Reference is made regarding the decision taken by the 1st Party in terminating the services of the 2nd Party by letter dated 29th March, 2001 giving effect from 31st March, 2001. It is alleged by the 1st Party that, 2nd Party committed misappropriation, she lost the confidence of the 1st Party and since she was working on contract basis and since her contract after December, 2000 was not renewed, she is not entitled for any protection or she is not entitled to service of charge sheet, face enquiry, and was supposed to reply the charges and lead evidence to justify her act. Whereas case of the 2nd Party is that, since she worked for 13 years from 1987 she is a permanent employee of the 1st Party. She cannot be terminated as done in the instant case. There was no enquiry, no opportunity was given to her to explain the charges leveled against her. Even charge sheet was not served. She was not permitted to be represented through Defence Representative. The decision taken by the 1st Party is not just and proper. Besides all legal dues were not paid to her while terminating her services. On all these counts the case of the 2nd Party is that, the decision taken by the 1st party is not just and proper and require to interfere.

12. She also placed reliance on her depositions which she filed at Exhibit 18 where she alleges that, she was terminated without following due process of law. She claims that, injustice is caused to her and said termination deserves to be set aside. In the cross she admits that, she was appointed on contract basis. She admits that her contract was renewed from time to time. She admits that, she signed the contract as shown at Page 1 of Exhibit 11. She admits that her last contract was for the period from 1-1-2000 to 31-12-2000 as shown on page 3 of Exhibit 11. She admits that her services were provided on the basis of the said contract. She admits that she deposited Rs. 4000 and balance with the

Airlines on 15-1-2001 as mentioned in the letter dated 5th April, 2001 which is shown on page 4 of Exhibit 11. She admits that, entry at Serial No. 5 as shown at Page 21 of Exhibit 11 dated 24-1-2001 is in her own handwriting.

13. So this is the evidence of the 2nd Party to claim reinstatement and she wants us to protect her and set aside the termination order under challenge. Against that, 1st Party led evidence by examining Mr. Igor Ivliev, Country Manager of the 1st Party at Bombay by filing his affidavit at Exhibit 19. He states that she was never issued appointment order. He states that, 2nd Party was appointed on contract basis. He states that, her contract was not renewed after 31-12-2000. He states that, 2nd Party misappropriated the amount collected from the passenger who travelled from Helsinki to Bombay via Moscow. He states that, the name of the passenger was Mrs. Tuulia Matikainen. He states that, the concerned passenger wanted to Board at Kathmandu so she approached the 2nd Party. Accordingly, concerned workman discussed with the said passenger and made correspondence with the Helsinki Airport. It is stated that, then concerned passenger was asked to deposit Rs. 9,380 as a difference of amount. It is stated that, the concerned workman did not deposit the said amount on 4-1-2001 when it was collected by her from the concerned passenger. It is stated that, the concerned Workman misappropriated the said amount. This witness made out the case that, the concerned Workman was appointed on contract basis and her lost contract expired on 31-12-2000 which was not renewed and so she was terminated by notice dated 29th March, 2001 giving effect from 31-3-2001. In the cross this witness states that, though the contract came to an end on 31-12-2000. She worked till 31-3-2001. He admits that, there was no any break in the employment of the 2nd Party and she was provided the work upto 31-3-2001. He admits that, the allegations levelled against the 2nd party in termination notice as well as in his affidavit in paras 2 to 10 were not communicated to the concerned workman. He also admitted that, neither charge sheet was issued to her nor enquiry was conducted against her after obtaining explanation on these charges.

13. 2nd Party filed written arguments at Exhibit 24 and the 1st Party replied it by filing written arguments at Exhibit 26.

14. From the evidence it reveals that, the 1st Party successfully proved that, 2nd Party was appointed on contract basis till 31-3-2000. It is also proved that there was no agreement/contract between the 1st Party and the 2nd Party after 31-12-2000. 1st Party succeeded in showing that, no appointment order was issued to the 2nd Party. 1st Party also succeeded in showing that, 2nd Party committed misappropriation of the amount mentioned in the written statement as well as mentioned in the depositions of the witness of the 1st party. The case made out by the 1st Party of accepting money by 2nd Party regarding change of ticket of passenger Mrs. Tuulia Matikainen and her meeting with

the 2nd Party on that point on 4-1-2001 and deposit of amount of Rs. 9,380/- by the concerned passenger with the concerned workman is proved by the 1st Party and even it is not disputed by the 2nd Party. On the contrary 2nd Party in the cross admits that, she made entry dated 24-1-2001 as shown at page 21 of Exhibit 11. Even she admits that, the said entry is in her own handwriting. When 2nd Party admits the entry dated 24-1-2001 made on page 21 of Exhibit 11 and admits that it is in her own handwriting which reveals that she deposited said amount on 24-1-2001 though actually, collected on 4-1-2001. Besides, in the cross she admits that, she deposited Rs. 4000/- with Airlines on 24-1-2001 as mentioned in letter dated 5-4-2001 as shown at page 4 of Exhibit 11. When concerned Workman hide the appointment on contract basis and hidden the cause behind her termination, doubt arises about her creditability. It is pertinent to note that, she neither referred to the story of appointment on contract basis nor reason behind her termination as pointed out by the 1st Party in Statement of Claim nor in the rejoinder or in the evidence. Besides she did not refer it neither in the claims statement nor denied it. Even she did not refer it in the rejoinder where she could do all that. But here it is pertinent to note that, in the rejoinder she did not offer any comments regarding those contentions which are elaborately taken in written statement by the 1st Party alleging that, she committed misappropriation and lost confidence of the 1st Party. Hence, the case of loss of confidence made out by the 1st Party in the written statement is proved. Even she did not try to refer to it in her rejoinder and feel it necessary to comment on it.

15. When she admits that, she wrote the entry dated 24-1-2001 as shown on page 21 of Exhibit 21 and when she admits that, it is in her own handwriting, then doubt arises about her involvement in the transaction? On the contrary she admits by her own conduct and by her own act that, she indulged in that activity. Besides it is to be noted that, she was appointed on contract basis. Moreover, it is not denied by her that, her contract was not renewed after 31-12-2001. When her contract was not renewed and when she was not legally on the roll of the 1st Party after 31-12-2001, where question arises to issue charge sheet against her and give opportunity to her to explain the charges and ask her to face trial? In my considered view, when she admits all these things and when she suppressed all these things in her claims statement as well as in rejoinder vis-a-vis in her affidavit which she filed in lieu of the examination-in-chief at Exhibit 18, I am of the view that, she did not come with clean hands to claim the reliefs. Besides citation referred by the 2nd Party more precisely citation published in (1985) 3 SCC page 398 of Apex Court while deciding the case of Union of India vs. Tulsiram Patel & Ors. and citation published in 2005(2) LLN. P. 996 of Apex Court while deciding the case of Canara Bank v/s. V.K. Awasthi on the contrary goes against the 2nd Party and her demand. In both the cases according

to me, the Apex Court observed that, in that case enquiry is not necessary. Other citations referred by the 2nd Party's Advocate are not helping to give relief to the concerned workman since they are on different facts and different footing. Besides case laws pointed out by the 1st Party's Advocate, are not exactly on the facts as happened in the instant case to justify the act of the 1st Party.

16. Considering all this coupled with the case made out by both, I conclude that, 2nd Party has no case and she cannot claim reinstatement and pray to quash and set aside the termination when 1st Party observed that, she lost the confidence of it.

17. Another ground taken by the 2nd Party that, amount/wages paid to her at the time of her termination were not legal and proper. As rightly pointed out by the 1st Party that, it is not the case of retrenchment but it is the case of termination. When it is not the case of the retrenchment but of termination, the amount admittedly offered and accepted by the 2nd Party are the legal dues offered by the 1st Party and 2nd Party is not entitled to get more than the amount offered by the 1st Party while serving notice of termination under challenge.

18. In view of the discussions made above I conclude that, the Management succeeds in showing that decision taken by it in termination the 2nd Party is reasonable and justified. So I answer this Issue to that effect.

ISSUE NO. 3:

19. 2nd Party pray that, the termination notice dated 29-3-2001 under challenge be quashed and set aside and she be reinstated with the benefits of back wages and continuity of service. As observed above 2nd Party is unable to show that, she was illegally terminated. Even she unable to show that, decision taken by the 2nd Party is not just and proper. Even she unable to show that, decision taken by the 1st Party without holding enquiry is objectionable. On the contrary 1st Party succeeds in showing that, since 2nd Party was contract worker, and her contract was not renewed after 31-12-2000 she is not entitled for any protection. Besides, 1st Party succeeds in showing that, she was involved in the misconduct. Even she admits said misconduct in her cross. Besides, she admits that, she depends on her husband and her husband is earning as he is earning. When she is not depending on her earning and when she is depending on her husband's earning and no liability is placed on record as she is not entitled for reinstatement, in my considered view, she is not entitled for any back wages. So I answer this Issue accordingly.

20. In view of the discussions made hereinabove I conclude that, the Reference deserves to be rejected. Hence, the order:

ORDER

Reference is rejected with no order as to its costs.

Bombay,

15th December, 2008.

A.A.LAD, Presiding Officer

नई दिल्ली, 15 जनवरी, 2009

का.आ. 396.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या -1, धनबाद के पंचाट (संदर्भ संख्या 108/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-01-2009 को प्राप्त हुआ था।

[सं. एल-20012/490/98-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 15th January, 2009

S.O. 396.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 108/1999) of the Central Government Industrial Tribunal/Labour Court, No. 1, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 15-01-2009

[No. L-20012/490/98-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s. 10(1) (d) (2A) of I.D. Act.

Reference No. 108 of 1999

Parties : Employers in relation to the management of Barora Coal Washery of M/S. B.C.C. Ltd.

AND

Their Workmen.

PRESENT : Shri H.M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri B.M. Prasad, Advocate.

For the workman : None.

State : Jharkhand.

Industry : Coal.

Dated, the 29th December, 2008

AWARD

By Order No. L-20012/490/98-IR(C-1) dated 4-6-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management to deny placement of Sri S.P. Tiwary on the post of Special Clerical Grade since May, 1990, and then on the post of Clerical Supervisory Gr. 'A' after promoting him as per his eligibility with all benefits is proper and justified? If not, to what relief the concerned workman is entitled?"

2. The order of reference was received in this Tribunal on 15-6-1999. In spite of sending notice by registered post to the sponsoring union no written statement has been filed on behalf of the workman till 24-10-2008. It appears from record that this case is pending from the year 1999. It, therefore, appears that, neither the sponsoring union nor the concerned workman is interested to contest the case.

3. In such circumstances I render a 'No Dispute' Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 15 जनवरी, 2009

का.आ. 397.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-1, धनबाद के पंचाट (संदर्भ संख्या 10/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-01-2009 को प्राप्त हुआ था।

[सं. एल-20012/437/2001-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 15th January, 2009

S.O. 397.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 10/2002) of the Central Government Industrial Tribunal/Labour Court, No. 1, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s.B.C.C.L. and their workman, which was received by the Central Government on 15-1-2009

[No. L-20012/437/2001-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s.10(1)(d)(2A) of I.D. Act.

Reference No. 10 of 2002.

Parties : Employers in relation to the management of Govindpur Area of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT : Shri H.M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri D.K. Verma, Advocate.

For the Workmen : Shri S.C. Gour, Advocate.

State : Jharkhand. Industry : Coal.

Dated, the 29th December, 2008

AWARD

By Order No. L-20012/437/2001-IR(C-1) dated 10-1-02 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether non-regularisation of Sri Dhananjay Prasad Verma to the post clerk by the management of Govindpur Area of M/s. BCCL is justified? If not, to what relief is the concerned workman entitled and from what date?"

2. After receipt of the order of reference both the parties filed their respective written statements, rejoinders and documents. Thereafter the case was fixed for evidence on behalf of the workman. Thereafter the concerned workman was examined-in-chief and the date of his cross-examination was fixed on 29-8-2008. But on 29-8-2008 a petition was filed on behalf of the workman praying to pass no dispute award in the present case as the matter is likely to be settled outside the Court.

3. In view of the submission made by the concerned workman, Dhananjay Prasad Verma, I render a 'No Dispute' Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 15 जनवरी, 2009

का.आ. 398.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-1, धनबाद के पंचाट (संदर्भ संख्या 26/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-01-2009 को प्राप्त हुआ था।

[सं. एल-20012/151/95-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 15th January, 2009

S.O. 398.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 26/1996) of the Central Government Industrial Tribunal/-Labour Court, No.1, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s.B.C.C.L. and their workman, which was received by the Central Government on 15-1-2009

[No. L-20012/151/95-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD**

Present : H.M. Singh, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)
(d) of I.D. Act. 1947

Reference No. 26 of 1996

Parties : Employers in relation to the management of Sijua
Area of M/s. BCC L Dhanbad and their workmen.**APPEARANCES**On behalf of the workmen : Mr. S. Bose, Treasurer,
R.C. M.S. Dhanbad.

On behalf of the employers : Mr. D.K. Verma, Advocate.

State : Jharkhand. Industry : Coal.

Dated, Dhanbad, the 26th December, 2008.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/151/95-IR(C-I), dated, the 6th June, 1996.

SCHEDULE

"Whether the demand for proper placement of Sh. Ram Naresh Sao, Shakil Ahmad Khan, Ishrail Ansari, Jai Narayan Pandit and Kishori Prasad, Auto Electrician in Excvn. Grade 'C', 'B' & 'A' by management of Sijua Area of M/s. BCCL is justified and whether the management has discriminated as is alleged by Union? If so, what relief the concerned workmen are entitled from which date?"

2. The case of the workmen as per their W.S. is that all the concerned workmen named in the schedule in the reference are permanent employees of the company and posted at different units of Sijua Area of BCCL. It has been submitted that all the concerned workmen have been working as Auto Electrician in Excavation Discipline and were regularised in Excvn. Grade 'D' of different dates in 1983. The concerned workmen completed 3 years service by different dates in 1986 and they were eligible for promotion to next higher grade as per cadre scheme. The management promoted the concerned workmen except Ram Naresh Sao to Excavation Grade-C on different dates in 1988 and 1989 considering their merit, performance and conduct. The details date of promotion as stated in the W.S. of the workmen are as followings :—

- | | |
|-----------------------|---------------|
| 1. Sakil Ahmad | from 5-4-89 |
| 2. Md. Ishrail Ansari | from 23-5-88 |
| 3. Jai Narayan Pandit | from 5-4-89 |
| 4. Kishori Prasad | from 5-4-89 |
| 5. Ram Naresh Sao | Not promoted. |

The case of promotion of Shri Ram Naresh Sao was discriminated while his other colleagues were promoted. It has been stated by the workmen that Sri Ram Naresh Sao was placed in Excavation Grade 'D' w.e.f. 10-8-83 and other two workers namely Promod Kumar Singh who came to Excavation Grade 'D' on 10-8-83 had been promoted to Excavation Grade 'C' w.e.f. 24-2-87 while Sri Sao though in Excavation Grade 'D' from the same date was not promoted to next higher grade even in 1989. Though the concerned workmen were all senior to the said Sri Pradip Kumar Singh and Sri Pramod Kumar Singh were also not promoted in 1987 in contravention of the Cadre Scheme and Promotional Rules formulated by JBCCI. This pick and choose policy of the management created resentment and grievances and the union of the workmen raised an industrial dispute before the ALC(C), Dhanbad which was registered as Conciliation Case No. 1/101/93 E. 3 which ended in failure and the present reference has been made. However, in course of conciliation proceeding management promoted all the concerned workmen to Excavation Grade 'C' w.e.f. 24-2-87 by an Order dated 16/29-11-1993 giving the promotion with retrospective effect from 24-2-87 with notional Seniority but without any monetary benefit. Thus again the management acted in violation of the norms in so much so that the service condition of the workers. It has been further stated that the management has promoted two of the concerned workmen namely Sakil Ahmad Khan and Md. Ishrail Ansari to Excavation Grade 'B' from 29-10-94 ignoring the cases of the remaining concerned workmen for promotion to Excavation Grade-B although all of them had been promoted to Excavation Grade 'C' from the same date 24-2-87. It has been submitted by the Workmen that two other workers namely Birendra Kumar Singh and Dinesh Pd. Singh who were promoted to Excavation Grade-C from 23-5-88 and thus junior to all the concerned workmen, management ignoring the norms and adopting pick and choose policy promoted them to Excavation Grade 'B'. The Auto Electrician in Excavation Grade 'C', 'B' and 'A' have to perform similar and identical nature of duties and none of this grade requires any additional qualification for either of the three grades. It has been submitted that Ram Naresh Sao is entitled to be promoted to Excavation Grade 'C' from 10-8-1986, from 10-8-99 in Grade 'B' and from 10-8-92 in Grade 'A', Kishori Prasad is entitled to be promoted to Excavation Grade 'C' from 4-8-1986, in Grade 'B' from 4-8-89 and Grade 'A' from 4-8-92, Md. Ishrail Ansari is entitled to be promoted to Excavation Grade 'C' from 20-2-86, in Grade-B from 20-2-1989 and in Grade 'A' from 20-2-1992, Jai Narayan Pandit is entitled to be promoted to Excavation Grade 'C' from 29-3-1986, in Grade 'B' from 29-3-1989 and in Grade 'A' from 29-3-1992 and Sakil Ahmad Khan is entitled to be promoted to Excavation Grade 'C' from 20-2-1986, in Grade 'B' from 20-2-1989 and in Grade 'A' from 20-2-1992. It has been alleged that the management has not followed the promotion rules as per cadre scheme for the Auto Electricians and as a result the concerned workmen have been deprived of their legitimate grades and financial benefits. Accordingly it has been prayed on behalf of the workman to pass an Award directing the management to place the concerned workmen in Excavation Grade 'C', 'B'

and 'A' respectively as stated above with full back wages and accompanying benefits.

3. In the W.S. filed by the management it has been stated that the present reference is not maintainable either in law or in facts. The demand of the Union for placement of the concerned workman in different Grade is not an industrial dispute rather it is unnecessary intervention of the Union in the managerial function of the employers. The terms of reference is vague and specific question has not been framed by the Ministry that which workman should be placed in which grade.

4. It has been stated by the management that the concerned workmen are working in different categories in Excavation Grade and the employers placed them in proper category according to the rules and provisions of the Cade Scheme in different grades from time to time. It has been further stated that a large number of workmen are working in Excavation Grade-C, B, and A and the union demanded only the promotion of few persons which is not maintainable. The concerned workmen were promoted in Excavation Grade-D as Auto Electrician sometime in the year 1983 and subsequently they were promoted in different grades as per their merit and vacancies. The employers never discriminated in promoting any workman concerned in any grade. There is no merit in the present industrial dispute. Accordingly it has been prayed by the management to pass an Award rejecting the claim of the concerned workmen.

5. Both parties have filed their respective rejoinders admitting and denying the contents of some of the paras of each other's W.S.

6. In this case management has produced and examined Shri Narendra Pratap Singh as MW-1 who has supported the case of the management. On the other hand workmanside has produced and examined Md. Israil Ansari as WW-1 and Ram Naresh Sao as WW-2.

7. Main argument advanced on behalf of the workmen is that the concerned workmen were not given promotion at the relevant time by the management from Grade-C to B and from B to A i.e. Shri Ram Naresh Sao—Grade 'C' from 10-8-1986, Grade B from 10-8-1989, Grade-A from 10-8-1992, Shri Kishori Prasad—Grade 'C' from 4-8-1986, Grade 'B' from 4-8-1989, Grade—A from 4-3-1992, Shri Israil Ansari—Grade C from 20-2-86 Grade 'B' from 20-2-1989, Grade A from 20-2-1992, Sri Jai Narayan Pandit—Grade 'C' from 29-3-1986, Grade 'B' from 29-3-1989, Grade 'A' from 20-2-1992, Shri Sakil Ahmad Khan—Grade-C from 20-2-1986, Grade 'B' from 20-2-1989, Grade-A from 20-2-92. In this respect as per paras 7 and 11 of the W.S. of the workmen all the concerned workmen have been promoted to Excavation Grade 'C' by an order dated 16/29-11-1993 issued by the management giving the promotion with retrospective effect from 24-2-87 with notional seniority without any monetary benefit. It has been stated that the action of the management is not justified because they have not been promoted according to the rules of the promotion and there is anomaly in the matter of the promotion of the concerned workmen. Accordingly they should be given promotion from the dates claimed in their W.S.

8. The concerned workman WW-1 has stated in his cross-examination "We had agreed that we should be given notional seniority in Grade. 'C' from the year 1987 which has been complied by the management." This statement of workman shows that there is no grievance against the management because management has given notional seniority with effect from 1987 which has been agreed by the concerned workmen. He also stated in cross-examination "Thereafter we have been allowed in Grade 'B' also during the pendency of the reference case. Promotion to the next grade is not automatic on completion of three years, rather we have to face D.P.C." In this respect WW-2 stated contradictory that generally on completion of 3 years promotion is given on the basis of DPC but there are instances in which promotion has been given in order to remove anomaly. It shows that both the witnesses stated that promotion is given on the basis of D.P.C. WW-2 stated in his cross-examination that promotion in next higher grade is given on accrual of vacancy and passing the D.P.C. It, therefore, shows that without D.P.C. no promotion can be given only on completion of 3 years or 5 years. Moreover, WW-1 has stated that they were all promoted.

9. Ld. Counsel for the management argued that promotion cannot be claimed as a matter of right. Promotion is done according to the D.P.C. which has been supported by WW-1 and WW-2 as they have stated that promotion is based on D.P.C. So on D.P.C. MW-1 has stated that there is no vacancy at present in Category A. So without vacancy no promotion can be given and no grade can be given to any of the workmen including the concerned workmen. Management's Office Order No. GM/SA/PD:3A/20/9649 dated 16/29-11-1993 shows that the concerned workmen were given promotion to Grade-C from 24-2-87 which has been admitted by the concerned workmen in their W.S. So it shows that anomaly has been removed by the management and by order dated 10/11-11-1994 WW-1 has been promoted in Excavation Grade-B By Order dated 11/22-10-1993 anomaly has been removed by the management giving promotion from Grade-C to Grade-B from 24-2-87 to 16-11-90 and as per statement of MW-1 there is no vacancy in Category-A. So no promotion can be made in Cat. A by the management. In the result, the following Award is rendered :—

"The demand for proper placement of Ram Naresh Sao, Shakil Ahmad Khan, Israil Ansari, Jai Narain Pandit and Kishore Prasad, Auto Electrician in Excavation Grade, C, B & A by the management of Sijua Area is justified. So far placement of the concerned workmen to Grade-C and from Grade-C to B is concerned management has already given promotion to them. With regard to promotion from Grade-B to Grade-A is concerned, management is directed to promote the concerned workmen as and when vacancy will arise following the procedures of D.P.C. Under the above circumstances question of discrimination, as alleged by the union, does not arise."

H. M. SINGH, Presiding Officer

नई दिल्ली, 15 जनवरी, 2009

का.आ. 399.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या 1, धनबाद के पंचाट (संदर्भ संख्या 109/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-1-2009 को प्राप्त हुआ था।

[सं. एल-20012/335/97-आईआर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 15th January, 2009

S.O. 399.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 109/1998) of the Central Government Industrial Tribunal/Labour Court No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L and their workman, which was received by the Central Government on 15-1-2009.

[No. L-20012/335/97-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL No. I, DHANBAD**

In the matter of a reference U/s. 10(1) (d) (2A) of the Industrial Disputes Act, 1947.

Reference No. 109 of 1998

Parties :

Employers in relation to the management of Govindpur Area No. III of M/s. BCCL.

AND

Their workmen

Present : Shri H. M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri D.K. Verma, Advocate.

For the Workmen : None

State: Jharkhand Industry : Coal

Dated, the 29th December, 2008

AWARD

By Order No. L-20012/335/97-IR (C-I) dated 1-12-98 the Central Government in the Ministry of Labour has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Govindpur Area No. III M/s. BCCL in dismissing the workman,

Sh. Hangolu Manjhi from service w.e.f. 9-12-95 is legal and justified? If not, to what relief the workman is entitled to?”

2. The order of reference was received in this Tribunal on 28-12-1998. After receipt of the notice from this Tribunal both parties filed their respective written statements, rejoinders and documents. Thereafter, inspite of several dates passed no one appeared on behalf of the concerned workman for taking further step. Therefore, it appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. In such circumstances, I render a ‘No Dispute’ Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 19 जनवरी, 2009

का.आ. 400.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैन्ट्रल बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 88/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-1-2009 को प्राप्त हुआ था।

[सं. एल-12012/68/2007-आईआर(बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 19th January, 2009

S.O. 400.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 88/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the management of Central Bank of India, and their workmen, received by the Central Government on 19-1-2009.

[No. L-12012/68/2007-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CGIT/LC/R/88/2007

Presiding Officer : Shri C. M. Singh

Shri Daulatram Prajapati,

30, Mataji Ki Gali, Jawad,

Distt. Neemuch (MP)

Neemuch

..... Workman/Union

Versus

The Regional Manager,
Central Bank of India,
Regional Office, 690, Shastri Nagar,
Ratlam (MP)

.....Management

AWARD

Passed on this 23rd day of December, 2008

1. The Government of India, Ministry of Labour vide its Notification No.L-12012/68/2007-IR (B-II) dated 7-9-07 has referred the following dispute for adjudication by this tribunal:—

“Whether the action of the Regional Manager, Central Bank of India, Ratlam in dismissing Shri Daulatram Prajapati from services w.e.f. 23-4-2003 is justified? If not, to what relief the workman is entitled for?”

2. In this reference case, workman has moved application No. 9 for withdrawal of the reference or to pass no dispute award.

3. It appears to be a case wherein the dismissal of workman Shri Daulatram Prajapati from services of the Central Bank of India w.e.f. 23-4-03 has been challenged. Shri Vijay Tripathi, Advocate for the workman submitted that the workman does not want to challenge his dismissal from the services of the Bank and, therefore, it shall be in the fitness of things to pass no dispute award in the case.

4. In view of the above, no dispute award is passed without any orders as to costs.

5. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 19 जनवरी, 2009

का.आ. 401.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 52/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-1-2009 को प्राप्त हुआ था।

[सं. एल-22012/496/1999-आई.आर.(सी-II)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 19th January, 2009

S.O. 401.—In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 52/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 19-1-2009.

[No. L-22012/496/1999-IR (C-II)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, LUCKNOW.**

Present : N. K. Purohit, Presiding Officer

I. D. No. 52/2004

Ref. No. L-22012/496/99-IR (C-II) dated: 19-5-2004

BETWEEN

The State Secretary,
Bhartiya Khadya Nigam Karmachari Sangh,
5-6, Habibullah Estate, Hazratganj, Lucknow
(Espousing case of Shri S. C. Rastogi)

And

1. The Sr. Regional Manager,
Food Corporation of India,
5-6, Habibullah Estate,
Hazratganj,
Lucknow.

2. The Distt. Manager,
Food Corporation of India,
Bhotia Parav,
Haldwani.

AWARD

14-1-2009

1. By order No. L-22012/496/99-IR (C-II) dated: 19-5-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between the State Secretary, Bhartiya Khadya Nigam Karmachari Sangh, 5-6, Habibullah Estate, Hazratganj, Lucknow (Espousing case of Shri S. C. Rastogi) and the Sr. Regional Manager, Food Corporation of India, 5-6, Habibullah Estate, Hazratganj, Lucknow & the Distt. Manager, Food Corporation of India, Bhotia Parav, Haldwani for adjudication.

2. The reference under adjudication is :

1. Whether the action of the management of FCI, Lucknow for recovery of Rs. 30,400 from Shri S. C. Rastogi vide its order dated 23-9-96 is legal and justified? If not, to what relief the workman is entitled?”

2. Whether the action of the management of FCI, Lucknow in imposing recovery of Rs. 54,297.50 on Shri S. C. Rastogi vide its order dated 12-8-96 is legal and justified? If not, to what relief the workman is entitled?”

3. Whether the action of the management of FCI, Haldwani in imposing recovery of half of Rs. 5,574.40 on Shri S. C. Rastogi vide its order dated 4-9-98 is legal and justified? If not, to what relief the workman is entitled?”

4. Whether the action of the management of FCI, Haldwani in imposing recovery of Rs. 1,842.60 on Shri S. C. Rastogi vide its order dated 21/24-8-98 is legal and justified? If not, to what relief the workman is entitled?"

5. Whether the action of the management of FCI, Haldwani in imposing recovery of cost of 39-28-400 Qlts. of wheat vide its order dated 6-10-98 is legal and justified? If not, to what relief the workman is entitled?"

6. Whether the action of the management of FCI, Haldwani in imposing recovery of Rs. 5005.75 on Shri S. C. Rastogi vide its order dated 2/9-10-97 is legal and justified? If not, to what relief the workman is entitled?"

2. The case of the workman is that he was served upon various charge sheets and consequent penalties by the management of FCI at different point of time. The gist of the charge sheets/penalties which were imposed upon the workman and the ground on which he has questioned the impugned orders are enumerated hereunder :

(i) The workman was served upon a charge sheet dated 3-5-95 and the Inquiry was held subsequent thereto. The Inquiry Officer concluded his enquiry with the charges not proved. The worker has alleged that the management of FCI, Lucknow in disagreement to the findings of Inquiry officer, without giving any valid reason, passed order dated 23-9-96 for recovery of Rs. 30,400, in violation of Regulation 59(2) of Staff Regulations 1971.

(ii) The management of FCI, Lucknow served another charge sheet dated 15-3-96 upon the workman under Regulation 60 of the Staff Regulations, 1971 and the workman replied for the same vide his reply dated 4-4-96. The workman has alleged that the management disagreeing with his reply imposed a penalty of recovery of Rs. 54,297.50 vide their order dated 12-8-96.

(iii) The workman has alleged that the management of FCI, Haldwani in most arbitrary and illegal manner imposed recovery of half of Rs. 55,742.40, without issuing any charge sheet to him, vide order dated 4-9-98. The workman represented against order dated 4-9-98 with no results.

(iv) The management of FCI, Haldwani again imposed penalty dated 24-8-98 for recovery of Rs. 1842.60 without any charge sheet.

(v) The management of FCI, Haldwani repeated the same illegality for the third time and imposed another penalty dated 6-10-98 and ordered to recover cost of 39-28-400 Quintals wheat from the workman without any charge sheet.

3. The workman has further stated that the management of FCI withdrawn the penalty order dated 9-10-97, therefore, he has not made any claim against said penalty order dated 9-10-97. The workman has further submitted that the management of FCI has wrongly observed that increase in percentage of moisture contents would increase the weight and therefore, has alleged that the aforesaid penalty order were passed by the management of FCI without application of mind and purely arbitrary and illegal manner. Accordingly, the workman has prayed that the penalty order dated 23-9-96 and 12-8-96 passed by FCI, Lucknow and penalty order dated 24-8-98, 4-9-98 and 6-10-98, passed by FCI, Haldwani may be set aside.

4. The management of FCI has filed its written statement denying the claim of workman wherein it has defended its action in imposing various penalties on the workman. The brief description of the defence of the management in rebuttal of the claim of the workman is pinpointed hereunder:

(i) The management of FCI has accepted issuance of charge sheet and inquiry report of the Inquiry Officer where he found charges to be not proved, but it has specifically mentioned that the Disciplinary Authority did not agree with the findings of the Inquiry Officer and after recording reasons thereof imposed the penalty order dated 23-9-96 upon the workman and it does not suffer with any illegality.

(ii) Regarding penalty order dated 12-8-96, it is admitted by the management that a charge sheet dated 15-3-96 under Regulation 60 of the FCI (Staff) Regulations, 1971 was issued. Also, the management of FCI has stated that the workman has rightly been punished with recovery vide order dated 12-8-96.

(iii) The management has submitted that it was noting wrong at any point of time while imposing penalty order dated 4-9-98 upon the workman and his representation against said penalty order has not been received by the Regional Office yet by the reason of not having been made through proper channel.

(iv) It has been stated by the management that the FCI suffered loss of Rs. 3,685.20 towards 08.88.000 Quintals storage loss due to negligence of workman and another Shri D. P. Singh and accordingly, proportionately recovery of 50% was imposed on the workman and Shri D. P. Singh. Since the loss was evident the charge sheet was given and no prejudice was caused upon the workman and, accordingly, he was penalized.

(v) As regard penalty order dated 6-10-98 the management of FCI has submitted that due to negligence of the workman and one Shri S. Rabbani, TA Grade I, FCI suffered loss of 39-28-400 Quintals

of wheat and the representation of the workman in this regard being unsatisfactory he was imposed penalty vide order dated 6-10-98.

5. The management of FCI has stated that the contents of course material on the principles of grain storage to show that there is deterioration in stocks as a result of development of micro-organism and insect due to high moisture content in food grain are not attracted in the present case of the workman. The management has further submitted that the present matter was earlier referred by the Ministry vide order No. L-22012/496/99-IR (C-II) dated 19-5-2004 which was registered as I. D. No. 87 of 2000 and the same was rejected by this Tribunal with observation that in the reference, more than one dispute raised are clubbed, while only one dispute can be raised at one time. The management has mentioned that the schedule of reference under adjudication includes different penalty orders by different Disciplinary Authorities, some after inquiry and some without enquiry, thus, they have different facts and footings and therefore, their merit cannot be taken into account in one industrial dispute. As per averment of the management the same technical flaw as observed earlier has been repeated in the present reference order also accordingly, same is liable to be rejected.

6. The workman has filed rejoinder wherein he has only reiterated his averment made in the statement of claim and nothing new has been uttered by him.

7. The parties have filed documents in support of their respective cases including charge sheets, inquiry report and penalty order etc. The workman has examined himself whereas the management has examined Sh. R. C. Singh, AGI (D). The parties cross-examined each other and filed written argument apart from making oral submissions.

8. Heard arguments of learned representative of the parties and perused evidence on record.

9. Before going into the merits of the reference under adjudication the preliminary objection raised by the opposite party regarding maintainability of the reference may be considered.

10. It is contended by the learned representative on behalf of the opposite party that prior to present reference the earlier reference on the same facts I. D. No. 87/2000 was dismissed by this Tribunal with the observation that more than one disputes raised by the workman have been clubbed in the reference, while only one dispute can be raised at one time despite this the parties are same in the present reference, six industrial disputes raised by the workman have been clubbed in the reference. Earlier for all issues only one issue was framed in the reference whereas in instant reference six issues have been framed for different penalty orders. Thus on this ground reference is not maintainable and claim statement is liable to be dismissed.

11. The learned representative on behalf of the workman has submitted that second reference is maintainable. There is no bar in the I. D. Act for referring all the disputes in one reference. In this regard he has relied on 2002 (94) FLR 624 between Virendra Bhandari vs. RRTC & other wherein Hon'ble Supreme Court has laid down that when there is no adjudication of the earlier reference on merits it cannot be said that industrial dispute does not exist and if industrial dispute still exist, such a matter can be again be referred under section 10 of Industrial Disputes Act 1947. It is permissible for court for have made the second reference.

12. Admittedly, the facts of the present reference and earlier reference are same, in earlier reference separate issues were not framed whereas in instant reference six separate issues have been framed for each impugned penalty order and it is also not disputed that earlier reference was not decided on merit, therefore, in view of the aforementioned legal position present reference is maintainable.

13. In light of the above legal position, the preliminary objection regarding maintainability of reference is not sustainable.

Order Dated: 23-9-1996:

14. The workman was served statement of articles of charges along with statement of imputation of misconduct vide memo dated 3-5-95 for alleged misconduct of misappropriation of 80 bages of wheat and for arranging 23 'B' class gunnies bearing private marks for misappropriation of wheat stock from Sultan Hussain godown, Rampur where he was posted as incharge of the said unit and causing financial loss of 30,400 to the FCI.

15. The Inquiry Officer found the charges not proved in his report dated 14-3-96. The inquiry report was served upon the workman by means of memo dated 26/29-3-96. The workman submitted his representation dated 17-4-96, stating therein that nothing has been said against him in the inquiry report, as such, he is unable to make any representation against it. The Disciplinary Authority disagreeing with the finding of the Inquiry Officer, imposed penalty of censure and recovery of Rs. 30,400 from the workman vide impugned order dated 22-9-96.

16. The workman has challenged the above impugned order on the ground that the Disciplinary Authority has disagreed with the just and legal findings of the Inquiry Officer without any valid reason and it is alleged that penalty order is arbitrary, illegal and bad in eye of law.

17. In this respect the workman has stated in his statement on oath that the disciplinary authority has wrongly and illegally disagreed with findings of the Enquiry Officer without giving any show cause notice for disagreement with the findings of the Inquiry Officer. The

impugned order has been passed in violation of principle of natural justice which has caused prejudice to him.

18. In rebuttal the management witness, Shri R. C. Singh has stated that the Disciplinary Authority under service Regulation is having power to disagree with the findings of the Inquiry Officer and the Disciplinary Authority after recording the reasons could punish the delinquent.

19. The learned representative on behalf of the workman has argued that the Disciplinary Authority has wrongly and illegally imposed penalty vide order dated 23-9-96 without show cause notice for disagreement with the findings of Inquiry Officer and the case of the workman has been prejudiced. He has relied on 2006 SCC (L&S) 1035.

20. Per contra, the learned representative on behalf of the opposite party has urged that the Disciplinary Authority has passed the impugned order after serving the inquiry report and considering the representation of the workman. Therefore, prior to passing impugned order full opportunity has been given to the workman.

21. In SBI & others Vs. Arvind Kr. Shukla 2006 SCC (L&S) 1035 the question under consideration was whether in case where the disciplinary authority disagrees with the inquiry officer on certain articles of charges, then before it records its findings of such charge, it is duty bound to record its tentative reasons for such disagreement and give the same to the delinquent officer, an opportunity to represent before it ultimately records its findings. Hon'ble Apex Court following the earlier decision in PNB case (1998) 7 SCC 84 observed that if findings are in favour of charged employee and disciplinary authority takes a different view then disciplinary authority is required to record its tentative reasons therefore and give it to the delinquent officer for giving him an opportunity to represent before recording its ultimate findings.

22. In instant case, the Inquiry Officer found charges against the workman not proved, but the Disciplinary Authority has disagreed with the conclusion and findings arrived at by the Inquiry Officer. Before passing impugned order and imposing penalty on the workman, the Disciplinary Authority has served the memo dated 29-3-96 along with inquiry report. In said memo it is mentioned that "the Disciplinary Authority will take a suitable decision after considering the report. If Shri S.C. Rastogi, AG II (D) wishes to make any representation or submission, he may do so in writing to the Disciplinary Authority within ten days of receipt of the letter".

23. In above memo the Disciplinary Authority has not mentioned that he was going to disagree with the finding of the Inquiry Officer. No tentative reasons for disagreement have been mentioned. Since in the inquiry report charges were found not proved therefore, there was

nothing against the workman so as to represent against the same.

24. Since in the light of principle laid down by Hon'ble Apex Court in aforesaid mentioned case law no opportunity was given to the workman to represent against the tentative reasons for disagreement with the finding of the Inquiry Officer, the impugned order is against the principle of natural justice and bad in law. Therefore, answer to the point No. 1 of the reference is in negative.

Impugned Order Dated: 12-8-1996:

25. A statement of imputation of misconduct for proposed action was served vide memo dated 15-3-96 for alleged misconduct of misappropriation of wheat causing loss of Rs. 1,27,402.50 to the organization was served upon the workman for submitting his representation against the same.

26. The workman replied that charge sheet vide letter dated 4-4-1996, but the Disciplinary Authority after considering the reply passed penalty order dated 12-8-96 wherein penalty of recovery of Rs.54,297.50 has been imposed upon the workman. The workman has questioned the above impugned order on the ground that his representation was not considered in accordance with law and reasons for disagreement with the reply of the workman have not been given in the penalty order. It is not disclosed from where the percentage of moisture contents were taken, which is basis of the entire charges. There is no evidence to prove the correctness of the moisture contents.

27. The workman has deposed in his statement on oath that Sr. RM did not consider his representation dated 4-4-96. He has not given any finding on the article of charges contained in the charge sheet dated 15-3-96 and passed impugned order dated 12-8-96 illegally and arbitrarily. He has further stated that basis of the case of those movement challan which were filed by the department with the reply to the charge sheet and referred in the impugned order were summoned but it has not been supplied.

28. The management witness has stated that alleged photocopies of challan have not found in office record.

29. The learned representative on behalf of the workman has contended that impugned order Sr. R M did not consider the representation of the workman, therefore, order is illegal and arbitrary. He has further argued that opposite party has not produced the disciplinary authority to justify the punishment order. The management witness has stated in cross-examination that he did not know about this case as it was dealt by Regional Office, Lucknow and he was posted in Haldwani. Whereas learned representative on behalf of opposite party has urged that impugned order has been passed after giving full opportunity to the workman and after considering his representation against the same.

30. Rule 60 of Staff Regulation 1971 is pertaining to procedure for imposing minor penalty which envisages that subject to provisions of sub regulation (3) of Regulation 59, no order imposing on an employee any of the penalties specified in clause (i) to (iv) of Regulation 54 shall be made except after :

(a) informing the employee in writing of the proposal to take action against him and imputation of misconduct or misbehaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal;

(b) holding an inquiry in the manner laid down in Sub-regulation (3) to (23) of Regulation 58, in every case in which the disciplinary authority is of the opinion that such inquiry is necessary;

(c) taking the representation, if any, submitted by the employee under clause (a) and the record of inquiry, if any, held under clause (b) into consideration;

(d) recording a finding on each imputation of misconduct or misbehaviour.

31. As per above Rule 60 if the Disciplinary Authority is of the opinion that inquiry is necessary then only inquiry is to be conducted. A statement of imputation of misconduct for proposed action was served upon the workman for alleged misconduct of misappropriation of wheat vide memo dated 15-3-96. The representation dated 4-4-96 has been considered. Thus procedure under Rule 60 of Staff Regulation 1971 has been complied with.

32. The contention of the learned representative on behalf of the workman that Disciplinary Authority has not been examined to justify his order, is devoid of any force. The workman has challenged the impugned order therefore; burden was on him to prove that said order is illegal or arbitrary, and not on the opposite party to prove that impugned order is legal.

33. The fact of the Hardeari Lal case relied on in this respect are different. In above case during the proceeding of enquiry material witness were not examined therefore, Hon'ble Apex Court held that inquiry vitiated being in violation of principle of natural justice. The present case inquiry was not essential under Regulation 60 of Staff Regulation 1971. Thus question of withholding witness in inquiry proceedings does not arise. Above ruling is not applicable in the matter of reference under adjudication.

Impugned Order Dated: 4-9-1998, 21/24-8-1998 & 6-10-1998:

34. Since the common question included in all the three impugned orders, as such, the same are being dealt simultaneously. Vide impugned order dated 4-9-1998, 21/

24-8-1998 & 6-10-1998 imposing penalty of recovery of Rs. 2,787.20, Rs. 1,842.60 and recovery of cost of 30-28-400 Qlts. of wheat respectively have been imposed. The above impugned orders have been challenged on the ground that the orders have been passed without any charge sheet to the workman in violation of principle of natural justice.

35. Admittedly, aforesaid impugned orders of recovery have been issued without conducting any inquiry. As per Regulation 54 (3) of the Staff Regulation recovery for any pecuniary loss caused to the Corporation by negligence or breach of order is a minor penalty. Regulation 60 is pertaining of procedure for imposing minor penalty. Regulation 60 envisages that subject to provisions of sub-regulation (3) of Regulation 59, no order imposing on an employee any of the penalties specified in clause (i) to (iv) of Regulation 54 shall be made except after informing for the employee of alleged misconduct and giving him a reasonable opportunity of making representation.

36. In instant case the provisions under Regulation 60 have not been complied with before passing aforesaid impugned orders, therefore, they are against the principles of natural justice and bad in law.

Impugned Order Dated: 2/9-10-97:

37. Admittedly the action of the management of FCI, Haldwani in imposing recovery of Rs. 5005.75 on the workman vide impugned order dated 2/9-10-97 has been withdrawn as per averments in the statement of claim. Since the workman has admitted that no claim against the impugned order is being made. There is no need to decide the above issue on merit.

38. The contention of the learned representative on behalf of workman for drawing adverse inference against the opposite party on the ground of non-production of alleged challans during proceeding of reference is concerned, is also not tenable. In this regard Sr. RM in the impugned order dated 12-8-96 has observed that total storage loss has been worked out to 217.19.000 quintals valued at Rs. 54, 297.50 only. In para two of the impugned order he has observed that on examination of representation of the workman it has been found that explanation submitted by workman are not convincing. In this regard para 3 of the impugned order is also relevant, which is as under:

"I find that said Shri S. C. Rastogi, AG-II (D) has disputed the moisture content to be incorrect but furnished no proof in support of his contention. He has simply enclosed photocopies of movement challans which do not make evident the moisture percentage noticed at the time of receipt of stocks. Movement Challans submitted by him with his representation are irrelevant documents with regard to moisture content noticed at the time of receipt of

stocks. Thus, Shri Rastogi has utterly failed to prove his innocence and cannot be absolved of the charges leveled against him."

39. In representation submitted by the workman against statement of imputation for proposed action dated 15-3-96, there is endorsement regarding enclosure of copies of challans. In the impugned order it has been observed that explanation of the workman is not convincing and the copies of the challans are not relevant documents. It is evident from the impugned order itself that explanation of the workman along with endorsed alleged copies of challans have been considered at the time of passing the order.

40. It is well settled legal position that the Tribunal would not interfere with the findings recorded by the Disciplinary Authority or Inquiry Officer as a matter of course. The Tribunal cannot sit in appeal over these findings and assume the role of Appellate Authority. The Tribunal cannot reconsider or reappraise the evidence and substitute its own conclusion in place of conclusion arrived on record by the Disciplinary Authority or Inquiry Officer, unless there is violation of principle of natural justice or it is perverse. The Sr. RM, Regional Officer, Lucknow, in the impugned order, has found explanation submitted by the workman unsatisfactory and the photocopies of movement challans irrelevant documents as regard to moisture content noted at the time of receipt. The Disciplinary Authority has arrived on above conclusion after considering representation and copies of the challans submitted by the workman. The Tribunal is not supposed to substitute its own conclusion in place of conclusion arrived at by the Disciplinary Authority on the material on record before it.

41. The learned representative on behalf of the workman has also contended that under Regulation 60, authority has to record a finding on each imputation of misconduct or misbehaviour. The management has to prove the charges independently on the basis of evidence on record. In this regard he has placed reliance on Govind Lal Srivastava Vs. State of U.P. 2005 (23) LCD 495.

42. This legal position is not disputed that charges have to be proved by the department itself by the material on record and the delinquent officer is not required to disprove the charges before being put to prove by the Inquiry Officer. But the facts of the case law cited above are distinguishable, the above case law cited was pertaining to domestic inquiry in a matter of major penalty whereas the instant case is pertaining to minor penalty. Moreover, in the impugned order dated 12-8-96, there is finding as regards alleged misconduct of the workman. Therefore, in view of above the contentions of the learned representative on behalf of the workman are not sustainable.

43. Since, except point No. 2 of the reference, other point Nos. 1, 3, 4 & 5 have been decided in favour of the workman, the impugned orders dated 23-9-96, 4-9-98, 21/24-8-98 and 6-10-98 are liable to be set aside as the same being against the principle of natural justice.

44. The point No. 2 of the reference pertaining to impugned order dated 12-8-96 has been decided against the workman. As regards amount of recovery as penalty is concerned, it is pertinent to mention that penalty of recovery of Rs. 54, 297.50 has been imposed by the impugned order dated 12-8-96 whereas as per order ref. 19 (1)/SL/Rampur/98-99/4421 dated 4-9-98 of the District Manager, FCI, Haldwani, which is on record, the above amount was to be recovered in equal proportionate of the amount in easy and equal 36 monthly installments from the salary of the workman and another workman, Shri D. P. Singh, Tech. Asstt. Grade-I, therefore, in view of the aforesaid letter of the opposite party only half of the amount imposed in the impugned order dated 12-8-96 is recoverable as penalty.

45. As regard point No. 6 of reference, it is not disputed that the impugned order has been withdrawn and there is no claim pertaining to above impugned order.

46. Accordingly, in view of aforesaid discussion, point No. 2 of the reference is adjudicated partially against the workman and only 50% of the penalty amount of Rs. 54, 297.50 is recoverable from the workman. The point Nos. 1, 3, 4 & 5 of the reference order are adjudicated in favour of the workman and impugned orders dated 23-9-96, 4-9-98, 21/24-8-98 and 6-10-98 are set aside. As regard point No. 6 of the reference no claim award is passed.

47. Award as above.

Lucknow.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 21 जनवरी, 2009

का.आ. 402.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 64/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-2009 को प्राप्त हुआ था।

[सं एल-22012/301/2003-आईआर(सी-II)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 21st January, 2009

S.O. 402.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 64/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 21-1-2009.

[No. L-22012/301/2003-IR (C-II)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, LUCKNOW****Present : N. K. Purohit, Presiding Officer****I. D. No. 64/2004****Ref. No. L-22012/301/2003-IR (CM-II) dated: 23-6-2004****BETWEEN**

The President,
Bhartiya Khadya Nigam Karmachari Sangh,
60/4, Sanjay Place Agra (UP),
(Espousing case of Shri Bhule Ram)

And

The Sr. Regional Manager,
Food Corporation of India,
5-6, Habibullah Estate,
Hazratganj,
Lucknow-226001.

AWARD**12-1-2009**

1. By order No. L-22012/301/2003-IR (CM-II) dated: 23-6-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between the President Bhartiya Khadya Nigam Karmachari Sangh, 60/4, Sanjay Place, Agra, U.P. (Espousing case of Shri Bhule Ram) and the Sr. Regional Manager, Food Corporation of India, 5-6, Habibullah Estate, Hazratganj, Lucknow for adjudication.

2. The reference under adjudication is:

“क्या चरिष्ठ क्षेत्रीय प्रबंधक, भारतीय खाद्य निगम, लखनऊ के आदेश दिनांक 21-1-1999 द्वारा भूले राम, वॉचमैन की संचयी प्रभाव से (With cumulative effect) (दो सेतन वृद्धियां रोकना न्यायौचित् है? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष का हकदार है?”

3. In brief, the case of the workman is that he with another Shri Bani Singh, A.G. III (D) was charge sheeted and penalized by the management of FCI by means of an order which caused to withholding of his two increments of pay with cumulative effect, without charges having been proved against him in the inquiry. The workman has stated that the Disciplinary Authority in its penalty order has observed that the charge of collusion is partially proved. He has submitted that no penalty can be imposed for charge, unless the same is fully proved and also the Disciplinary Authority has not furnished substantial

grounds as to his differing with the Inquiry Officer's findings. The other co-accused Shri Bani Singh too was imposed penalty of withholding of three increments with cumulative effect and his appeal before Appellate Authority too was rejected vide order dated 9-5-2001. Subsequently, the penalty order in respect of Shri Bani Singh was held 'bad in law' by the Central Government Industrial Tribunal-cum-Labour Court, Kanpur vide its award dated 17-12-97 and the management of FCI made available all benefits to Shri Bani Singh, consequent to said award. The workman, since his case is identical to the case of Bani Singh, has prayed that the order of penalty against him be set aside and be given all consequential benefits along with full pay and allowances, admissible under rules, for entire suspension period.

4. The management of FCI has filed its written statement denying the claim of the workman, wherein it has stated that the workman and Shri Bani Singh were served with the different charge sheets including different charges taking into the account of role of the employees concerned and they were dealt with on the basis of individual merits by two different inquiry officers. It is further stated that the workman was charge sheeted for misappropriation and the penalty has been imposed by the Disciplinary Authority, in accordance with the FCI Staff Regulation, 1971 vide order dated 21-1-99 after taking into consideration the inquiry report of the Inquiry Officer and role and degree of accountability of the workman and the same has upheld by the Appellate Authority also.

5. The workman in his rejoinder, apart from reiterating the earlier averments made by him in the statement of claim, has mentioned that the act of the management of conducting two different enquiries for similarly situated cases on the basis of status of employees is entirely violative of rules of departmental enquiry.

6. The parties have filed documents in support of their respective contentions including copies of the charge sheet, inquiry report and penalty order etc. The workman has examined himself as witness whereas the management has examined Sh. S. K. Singh, Asstt. Manager (Retd.) as witness. Both the sides have filed written argument, apart from making oral submissions.

7. Heard arguments of learned representative of both the parties and perused relevant record.

8. The learned representative on behalf of the union has contended that the case of the workman Bhule Ram is exactly identical to the case of Bani Singh and the award passed by CGIT, Kanpur in favour of Bani Singh, has been fully implemented by the FCI, therefore, the workman is also entitled to the benefit of the above award. He has further contended that when charges have been found partially proved, how the workman can be punished on presumption. He has also contended that the Enquiry

Report is vague and self contradictory. The keys of the godown were with the incharge, Sh. R. C. Sharma and the workman was not on duty on 12-2-86. The workman has been made scapegoat in this matter. He has relied on following case law in support of his contentions:

(i) (2002) 7 SCC 142 Sher Bahadur vs. Union of India & others.

(ii) (1999) 2 SCC 10 Kuldeep Singh vs. Commissioner of Police & others.

9. Per contra, the learned representative on behalf of management has urged that watchman is fully responsible for any loss or damages or theft as per clause 3.14 of the security manual. The workman was charged together with other workman in category III & IV and all of them were punished through respective penalty orders. The workman cannot claim parity as other charged workman were having different enquiry officer and enquiries were conducted on the basis of separate merit in each case.

10. I have given thoughtful consideration on the arguments advanced by learned representative of both the sides.

11. It is pertinent to mention that the workman and other delinquents with whom collusion for misappropriation of 730 bags of wheat was alleged in the charge, separate enquiries were conducted and all were punished through respective penalty orders of the disciplinary authority and copies of above order are on record. It is also evident from the record that appeal preferred against the said orders were rejected. Shri Bani Singh who was also impleaded in this case along with Bhule Ram & others, a penalty of withholding of three increments with cumulative effect was ordered. Both Bhule Ram, workman and Bani Singh, workman preferred appeal before the Appellate Authority, which were rejected. Shri Bani Singh raised an industrial dispute before concerned authority and ultimately a reference was made to CGIT, Kanpur, which adjudicated the case in favour of the workman. The copy of the award dated 17-12-97 though not legible, is also on record. The above award has been fully implemented by the FCI in the case of Bani Singh vide order dated 11-6-1999 of the Sr. RM, FCI, Kanpur.

12. At the outset it may be mentioned that it is not evident from the above factual backdrop that the Enquiry Officer or the Disciplinary Authority has discriminated in any manner in the matter of similar situated workman. The workman and Shri Bani Singh workman, both have been found guilty for alleged charges against them and penalty of withholding grade increments with cumulative effect has been imposed and respective penalty orders have been upheld by the Competent Appellate Authority. Ultimately if the CGIT, Kanpur has passed an award in favour of Shri Bani Singh workman, it cannot be said that in view of

the above award, the impugned order dated 21-1-99 is not just.

13. It is not disputed that 730 bags of wheat stocks and 31 BT 'A' class gunnies were found lost. It is also not disputed that when physical verification was conducted on 21-6-86, no shortage were reported and when again on 15-2-86 physical verification was conducted shortage of 730 bags wheat in 9 different stocks were reported and for above shortage, a FIR for that was lodged by the unit in charge of the godown Sh. R. C. Sharma AGI (D) which resulted in final report. Subsequently, the unit incharge and other workmen were charge sheeted for alleged misappropriation of the 730 bags of wheat.

14. The question for consideration is whether impugned order is in violation of principles of natural justice or in contravention of relevant rules of domestic inquiry.

15. In this respect the para 'V' of the Enquiry Report is very relevant wherein the Enquiry Officer has given findings as under:

"It is also note worthy to point out that prosecution has failed to pin point the responsibility of the S. O. to the extent he is responsible either through any document or through its witnesses. On perusal of stock wise register Ex-P-7 it reveals that on 21-1-86 when PV was conducted no shortage were reported and when again PV on 15-2-86 was conducted shortage of 730 bags wheat in 9 different stocks were reported as such mis-appropriation of said bags must have been taken place in between 22-1-1986 to 12-2-1986 (on date Unite Incharge reported the shortage) though as per Gate pass register (Ex-P-11) stocks have been moved/issued to Rail Head/Ms Roller Floor Mill on 10-2-1986."

16. After above observation he has given his conclusion of the enquiry as under:—

"The charge of collusion is partially proved as it cannot be ruled out."

17. The disciplinary authority after considering the Enquiry Report and the representation dated 7-3-98 given by the workman against the finding of the enquiry report, passed impugned order dated 21-1-99 whereby penalty of stoppage of two increments with cumulative effect has been imposed on the workman.

18. In support the claim, the workman Bule Ram has stated in his statement on oath that in enquiry report charge against him has been found partially proved and it is mentioned in the report that prosecution could not produced any document or witness to prove the charge. He has further stated that on the date of alleged occurrence, he was not on duty and his duty was from 8 AM to 4 PM, subsequent to his duty hours, other workmen used to give

duty and at the time of alleged occurrence other workmen, Lal Singh, S. N. Chaturvedi and Hari Prasad were on duty. He has also stated that keys of the godown used to be kept by incharge R. C. Sharma. He has also alleged that impugned order has been passed without giving notice to him.

19. In rebuttal the management witness Shri S. K. Singh, Assistant Manager, FCI, FSD, Agra Cantt has stated that he was team which physically verified the stock and 730 bags of wheat and gunnies were found short. In this matter 7 class IV employee, 2 Assistant Class II, 1 unit incharge AGI and Asstt. Manager of the unit were charge sheeted and after enquiry penalty was imposed. He has further stated that R. C. Sharma was dismissed from service and against B. L. Dinesh and Bani Singh a penalty of withholding of 3 grade increment with cumulative effect was imposed. In cross-examination he has stated that last inspection of the godown was done on 10-2-86. He has also stated that 730 bags cannot be stolen in one day. Keys of the godown are being kept by incharge.

20. It is well settled legal position that Tribunal would not interfere with the findings recorded at the departmental enquiry by the disciplinary authority or enquiry officer as a matter of course. The Tribunal cannot sit in appeal over these findings and assume the role of the appellate authority. But this does not mean that in no circumstance can the Tribunal interfere. If enquiry is in violation of principle of natural justice or if the findings of the enquiry are perverse then Tribunal is empowered to interfere with the conclusions reached therein.

21. In (1999) 2 SCC 10 Kuldeep Singh Vs. Commissioner of Police & others Hon'ble Apex Court has observed that if there is no evidence to support the findings or the findings recorded were such as could not have been reached by an ordinary prudent man or finding were perverse or made at the dictation of superior authority, court can interfere with the conclusion. After referring earlier decision Hon'ble Apex Court has laid down as under :

"A broad distinction has, therefore, to be maintained between the decisions which are perverse and those which are not. If a decision is arrived at on no evidence or evidence which is thoroughly unreliable and no reasonable person would act upon it, the order would be perverse. But if there is some evidence on record which is acceptable and which could be relied upon, howsoever compendious it may be, the conclusions would not be treated as perverse and the findings would not be interfered with."

22. This legal position is also not disputed that the Tribunal cannot re-examine, reappraise the evidence and substitute its own conclusion in place of conclusions arrived by the inquiry officer on the basis of evidence adduced during the proceedings of domestic enquiry; but

to arrive on conclusion, some evidence with some degree of definiteness must be there.

23. In instant case the inquiry officer observed in the concluding para of the inquiry report that prosecution has failed to pin point the responsibility of the workman to the extent he is responsible either through any document or through its witnesses. The inquiry officer has found alleged charges against the workman partially proved on the ground that wheat bags must have been misappropriated during period 22-1-86 to 12-2-86 and during above period the workman was posted as watchman, therefore, his collusion cannot be ruled out because such huge stock of 730 bags of wheat trucks or buggies at one span of time. He has drawn an inference on the basis of probability that involvement of the workman in alleged collusion for misappropriation cannot be ruled out in view of the huge quantity. It is evident from the enquiry report itself that prosecution failed to adduce any documentary or oral evidence to substantiate the charges levelled against the workman. He has presumed involvement of the workman without considering this fact that misappropriation might have taken place when the workman was not on duty during the said period. The findings of the inquiry officer is based on mere suspicion but suspicion how so strong it may be, it cannot take place of the proof. In (2002) 7 SCC 142 Hon'ble Apex Court while considering the matter of domestic enquiry has held that :

"The expression 'sufficiency of evidence' postulates existence of some evidence which links the charged officer with the misconduct alleged against him. Evidence which is neither relevant in a broad sense nor establishes any nexus between the alleged misconduct and the charged officer, is no evidence in law."

24. In the present case there is no such evidence which links the workman with the alleged misconduct against him. Thus, the findings of the inquiry officer are hypothetical and based on conjectures and surmises and therefore, the same is perverse.

25. In view of the above discussions the impugned order dated 21-1-99, imposing penalty of withholding of two increments with cumulative effect is bad in law and the same is liable to be set aside.

26. Accordingly the penalty order dated 21-1-1999, imposing penalty of withholding two increments with cumulative effect upon workman Shri Bhule Ram is set aside and the workman shall be entitled to all consequential benefits.

27. Award as above.

Lucknow.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 21 जनवरी, 2009

का.आ. 403.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस.ई.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 113/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-2009 को प्राप्त हुआ था।

[सं. एल-22012/453/1994-आई आर(सी-II)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 21st January, 2009

S.O. 403.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 113/1997) of the Central Government Indus. Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 21-1-2009.

[No. L-22012/453/1994-IR (C-II)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/113/97

Presiding Officer: SHRI C.M. SINGH

The General Secretary,
M.P. Koyla Mazdoor Sabha (HMS),
PO South Jhagrakhand Colliery,
Distt. Surguja (MP) ...Workman/Union

Versus

The Sub Area Manager,
Chachai & Rungta Group of
Mines of SECL, PO : Amlai Colliery,
Distt. Shahdol (MP) ...Management

AWARD

Passed on this 24th day of December, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/453/94-IR (C-II) dated 23-4-97 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Chachai & Rungta Group of Mines of SECL in not regularising the services of 70 contract workers (list enclosed) is illegal and justified? If not, what relief are the workers entitled to and from which date?”

2. This reference has been initiated by the General Secretary, M.P. Koyla Mazdoor Sabha (HMS), PO South Jhagrakhand Colliery, Distt. Surguja MP on behalf of its members Shri Yogeshwar Prasad and 69 others.

3. The case of the Union/workmen in brief is as follows. That Shri Yogeshwar Prasad Mishra and 69 others as per list enclosed with the schedule of reference are working in the Chachai U.G. of Sohagpur Area of SECL. That SECL is a Govt. of India undertaking and all the shares of the company are being held by the Government of India. The Govt. of India has a total and absolute control over the company. It is a state under article-12 of the constitution of India. That Shri Yogeshwar Prasad Mishra and 69 others were engaged by the Sub Area Manager in Chachai and Amlai for prohibited nature of mining jobs. That the services of workers were utilized for mining jobs, hence they are said to be deployed in mine: For workmen who have been deployed in mines, the management is duly bound to prepare the documents under provisions of Mines Act, 1952:—

- (a) Form-B register in respect of each workmen under Sec. 48 of the Mines Act.
- (b) Attendance should be marked in Form-C, D or E as per the nature of deployment under sub-section(4) of Sec. 48 of the Mines Act.
- (c) Attendance should be marked by the statutory personnels, i.e. Register Keeper of the company, not by the so-called contractor (Circular No.537 - 646/JBP dated 1-2-85 of Director of Mines Safety)
- (d) Vocational training should be given to the workers under Rule-6 of Mines Vocational Training Rule.

The services of the workers under reference are utilised for the purpose of mining i.e. for the profit and business of the employer since 1990 at Chachai and Amlai. That the workers have been engaged in permanent and perennial nature of job as per Sec: 1(5)

Explanation of Contract Labour (R & A) Act, 1970
“Explanation. For the purpose of this sub-section, work performed in an establishment shall not be deemed to be of an intermittent nature”

- (i) if it was performed for more than one hundred and twenty days in the preceding twelve months, or
- (ii) if it is of a seasonal character and is performed for more than sixty days in a year.

Sec-25(B) of ID Act 1947 defines the term continuous service. The service conditions of the workers in coal mining industry is covered by the Central Coal Wage Board, 1967. After nationalisation of coal mines in 1973, the wage structure and service conditions of the coal mine workers are regulated through various National Coal wage Agreements between the management and various Central Trade Unions through the Joint Bipartite Committee for coal mining industry. These agreements were accepted by the Govt. of India and are binding on both the management and the workers. According to National Coal Wage Agreements, no contractor labour can be engaged in any coal mines in a regular/perennial nature of work according

to clause 11.5.0 of NCWA-IV. That the workers were continuously working for years together and have completed 190/240 days attendance several time, i.e. in every year. These workers have worked under the direction, control and supervision of the officials of the management of Sohagpur Area. Hence there is an absolute employer-employee relationship between the management of Sohagpur Area and the workers. That the Govt. has given some relaxation in prohibited nature of work that the work is not prohibited one when cutting of stone drifts/faults which cannot be detected in advance and are of short duration upto six months. That before starting the work, a detailed survey was done by CMPDI. The management of Sohagpur Area misused the relaxation given by the Govt. by engaging contractor in cutting of stone drifts/faults which was detected in advance and the work was continued for many years. That the workers were deployed directly by the management. For the purpose of payment, they engaged a contractor and paid less wages. Hence the contractor is smoke screen and camouflage in the eye of law. For the Coal mining industry, every workman is entitled for NCWA wages, as minimum wages under M.W. Act is not applicable to them because the industry is not a scheduled one under the Act. The workers are therefore entitled atleast minimum wages of Cat. I as per NCWAs. It is very unfortunate that a Govt. undertaking like SECL which is a subsidiary of Coal India Limited indulged in unfair labour practices by denying the rightful wages and other benefits to their workmen engaged in perennial/regular and prohibited nature of work by projecting a contractor for making out the bills on his name for payment to the workmen. Being aggrieved with the attitude of the management, the workmen approached the legal authorities through the union for redressal of their grievances and as soon as the management has come to know that the workers have approached the legal authorities, terminated services of workers without observing the formalities of law. It is prayed by the Union/workmen that the Tribunal be pleased to hold these workers as regular employees of SECL with all consequential benefits right from the date of their engagement and to treat their services as continuous and spent on duty even after their impugned termination with all consequential benefits.

4. The case of the management in brief is as follows. The Union has raised the present dispute with a view to secure appointment to the claimant through back door. The management issued tender notice 2086 dated 27-11-89 for execution of the work mentioned therein. The contractor Shri A.P. Mishra was intimated about acceptance of his tender. Accordingly an agreement was executed by the management of SECL, Sohagpur area and the contractor. The said agreement was forwarded by the Dy. General Manager to the Dy. Chief Finance Manager. The management issued another tender notice No. 1507 dated 27-9-91 for execution of the work mentioned therein. The tender submitted by the contractor Shri A.P. Mishra was accepted. Consequently an agreement was executed between the management of SECL and the contractor. Against order WO No. 2584 dated 2-2-1991 the work should have been commenced on 12-11-1990 and completed on

11-5-1991. Thus the work contemplated as per W.O. No. 2584 dated 2-2-1991 was to be completed within a period of 6 months. As per Notification No. 2053 dated 2nd July 1988, driving of stone drifts and miscellaneous stone cutting in underground is not prohibited provided such work cannot be detected in advance and is of a short period say upto 6 months. For the subject work could not be detected in advance and was for a period less than six months. The drifting operation and the manpower deployment is dependant on the area of the drift. For a 3 metre drift (LxB), the deployment at any point of time on the drift face cannot be more than 3 to 4 persons keeping in view the working area available for them. In respect of contract No. 285 order is of $52.6 + 30.1 = 112.8$ mts. The period of contract was for 5 months. The available number of days taken 25 per month x 5 month 125 days. Therefore, the progress of even two meters a day in 3 shifts could be 250 mts. Whereas the work load was of 112.8 mts. only. The reason for delay as can be seen from the documents are frequent breakdown of pumps and non-availability of the exact place for drift, which led to slow progress. The period of 6 months for completion of the drift would be deviated, but the engagement of manpower will not be more than 6 months or 150 days in a year to achieve the above progress of 231 mts. Therefore the extension of drifting work beyond 6 months in the event of failure to achieve the stipulated progress per day cannot be attributed to perennial nature of job as it is extended beyond six months. The appropriate Govt. is fully aware that survey can be done by CMPDI. It is also aware to the appropriate Govt. that even after survey, certain drifts/faults cannot be detected. Only after taking the said position into account the appropriate Govt. has provided an exceptional clause in the said notification. So far as Sec-25(F) of the I.D. Act is concerned, it is not applicable in the present case. That the said work awarded to the contractor was not of prohibited nature. It is submitted by the management that the case of Union has no merit.

5. Vide order dated 18-7-07, the case proceeded exparte against workmen/Union.

6. The management in order to prove their case filed affidavit of their witness Shri Shankar Nagachari, then working as Sub Area Manager, Amlai & Bangwar Sub Area of SECL, Sohagpur Area.

7. I have heard Shri A. K. shashi, Advocate for the management and perused the evidence on record.

8. The case of the management is fully established and proved from the uncontroverted and unchallenged affidavit of management's witness Shri Shankar Nagachari. Therefore the reference deserves to be decided in favour of the management and against the Union/workmen without any orders as to costs.

9. In view of the above, the reference is decided in favour of the management and against the Union/workmen without any orders as to costs holding that the action of the management of Chachai & Rungta Group of Mines of SECL in not regularising the services of 70 contract workers (list enclosed) is legal and justified and consequently the workmen are not entitled to any relief.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 21 जनवरी, 2009

का.आ. 404.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या 60/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-2009 को प्राप्त हुआ था।

[सं. एल-22012/152/2000-आई आर(सी-II)]
स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 21st January, 2009

S.O. 404.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 60/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 21-1-2009.

[No. L-22012/152/2000-IR (C-II)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/60/2001

Presiding Officer: SHRI C. M. SINGH

The General Secretary,
RKKMS (INTUC),
P. O. Chandametta,
Distt. Chhindwara (MP)

... Workman/Union

Versus

General Secretary,
RKKMS (INTUC),
P. O. Chandametta,
Distt. Chhindwara (MP)

... Management

AWARD

Passed on this 24th day of December, 2008

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/152/2000-IR(C-II) dated 5-2-2001 has referred the following dispute for adjudication by this tribunal:—

“Whether the action of the management of WCL, Pench Area, P O Parasia, Distt. Chhindwara (MP) in

not correcting the date of birth of Sh. Yadu Singh S/o Haricharan Singh, Mech. Foreman Incharge of Chandametta Colliery of WCL, Pench Area is justified? If not, what relief the workman is entitled to?”

2. Vide order dated 19-9-07 passed on the ordersheet of this reference proceeding, the reference proceeded exparte against the workman. No statement of claim has been filed on behalf of workman.

3. The case of the management in brief is as follows. In the Form-B register of the management, the age of the workman is recorded as 8-5-1941. As per guidelines given in I.I.No. 37, the management in the year 1981 displayed the notice on the notice board stating therein the date of birth of each workman and it was specifically pointed out that any person having objection to submit their objection within 90 days. In the said notice, which was displayed for information of workers, the date of birth of the workman was shown as 8-5-41. The age of superannuation in coal mines is 60 years. The workman was issued notice of retirement informing that he would be retiring from service w.e.f. 2001. The workman has not submitted any document admissible under Sec. I.I. No. 37 and 76 with the management in support of his claim. The workman has never raised any objection during his entire service period as against the date of birth recorded in official record inspite of objection invited by the management in the year 1981. The workman has raised such objection in the fag end of his service. The case of workman has no merit.

4. The management in order to prove their case filed affidavit of Shri Samir Barla, then working as Sr. Personnel Officer in WCL, Pench Area.

5. I have heard Shri A.K. Shashi, Advocate for the management. I have very carefully gone through the entire evidence on record.

6. After having considered the exparte submission made by Shri A.K. Shashi, Advocate for management and after having considered the evidence on record, I am of the view that the case of management is fully established and proved from the uncontroverted and unchallenged affidavit of their witness Shri Samir Barla. Therefore the reference deserves to be decided in favour of the management and against the workman without any orders as to costs.

7. In view of the above, the reference is decided in favour of the management and against workman Shri Yadu Singh without any orders as to costs holding that the action of management of WCL, Pench Area, P O Parasia, Distt. Chhindwara (MP) in not correcting the date of birth of Sh. Yadu Singh S/o Haricharan Singh, Mech. Foreman Incharge of Chandametta Colliery of WCL, Pench Area is justified and consequently the workman is not entitled to any relief.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 21 जनवरी, 2009

AWARD

का.आ. 405.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं इन्स्टीट्यूट ऑफ़ मिनेरल्स एण्ड मेटिरियल्स टेक्नोलॉजी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 01/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/196/2003-आई आर (सी-II)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 21st January, 2009

S.O. 405.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1/2005) of the Central Government Indus. Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Institute of Minerals & Materials Technology and their workman, which was received by the Central Government on 21-1-2009.

[No. L-42012/196/2003-IR(C-II)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
BHUBANESWAR**

Present : SHRI N. K. R. MOHAPATRA, Presiding Officer

Industrial Dispute Case No. 1/2005

Date of Passing Award, 18th November 2008

BETWEEN

The Management of the Director,
Institute of Minerals & Materials
Technology, Bhubaneswar,
Orissa-751013

...1st Party Management

And

Their Workman, Shri Akshaya Kumar
Gochayat & Others,
C/o. Shri Kesab Jena,
Kuakhai Pump House,
Qrs. No. 1R-10, Mancheswar,
Bhubaneswar, Orissa.

—2nd Party Workmen

APPEARANCES

M/s. N.K. Mishra & Associates
Advocates

...For the 1st Party Management

M/s. N. Panda, Advocate

...For the 2nd Party Workmen

The Government of India in the Ministry of Labour, in exercise of Powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-42012/196/2003/IR(CM-II), dated 8-12-2004.

"Whether the demand of the workers (list enclosed) for reinstatement with full back wages in the establishment of Regional Research Laboratory, Bhubaneswar is legal and justified? If so, to what relief the workmen are entitled to?"

2. Claiming to have illegally been terminated by the Management the above noted disputants raised a joint Industrial Dispute against the erst-while Management of Regional Research Laboratory, Bhubaneswar resulting in the present reference. After the said reference was received one of the disputants Shri Akshaya Kumar Gochayat filed a claim statement on behalf of all contending that the disputants were engaged by the erst-while Management known as Regional Research Laboratory (in short RRL) during 1986 to 1996 to work as House Keeping staff through one self styled contractor Shri K.C. Gochayat and thereafter attached them to other succeeding contractors and then ultimately terminated them illegally to avoid their regularization.

3. The reference was originally against RRL, Bhubaneswar. After it was renamed in 2001 the erst-while name of the Management has here been substituted by its present name Institute of Minerals and Materials Technology (in short IMMT) Replying to the claim of the Union the Management filed his written statement questioning the maintainability of the reference as also the claim made by the Union. According to it the Management is a research oriented institute falling outside the definition of an Industry and as such the reference is not maintainable. It is further contended that earlier another Industrial Dispute was raised in respect of the self same disputants and many others for their regularization and therefore this reference is also otherwise not maintainable under the principles of resjudicata.

4. On the pleadings of the parties necessary issues were framed but due to non-taking of steps the Union was set exparte and the exparte evidence of the Management was recorded by examining one witness from the side of the Management.

ISSUES

1. Whether the reference is maintainable?
2. Whether the reference is hit by the principles of res-judicata?
3. Whether the establishment of Regional Research Laboratory, Bhubaneswar is an "Industry"?

4. Whether the disputants are workmen within the meaning of the term and whether they were employees of 1st Party-Management?
5. Whether the disputants were engaged by the Management through different sham contractors?
6. Whether the disputants have been terminated by the 1st Party-Management?
7. Whether the termination of the disputants was justified and if no to what relief the disputants are entitled to get?

FINDINGS

ISSUE No. 1 to 3

5. From the evidence of Management Witness and documents like Ext.-1 and 2 it appears that originally there were five Regional Research Laboratories (RRL) functioning in different parts of the country under the administrative control of Council of Scientific & Industrial Research (CSIR) located at New Delhi. As per the office memorandum dated 6-3-2007 (Ext.-1) of CSIR all the RRLs were renamed differently and as such the erst-while Management of RRL, Bhubaneswar is now known as IMMT.

6. From the other documents filed by the Management it appears that, earlier one Industrial Dispute was raised by these disputants and many others through their Union Regional Research Laboratory Workers Union claiming their regularization and on reference it was registered as I.D. Case No. 148/2001 before this Tribunal. The Award passed in that case on 30-7-2001 vide Ext.-3 shows that the said dispute for regularization was in respect of all those who were engaged in different nature of work allegedly through some sham contractors. In that case the question whether the Management was an Industry or not was considered. Besides, the question relating to the status of all those who were allegedly engaged through such sham contractor was also the subject matter for consideration.

7. Under the present terms of reference, the question whether the disputants are entitled to be reinstated has been sought for adjudication. To answer such a question is absolutely necessary to examine before hand under what circumstance and by whom they were terminated. But not even an iota of evidence is available from the side of the disputants to throw any light on that aspect to come to a conclusion that there was relationship of employer and employee between the Management and disputants and that the Management was guilty of terminating them. On the other-hand, from the earlier award marked as Ext.-3 it is crystal clear that the various persons working under the erst-while Management were all contract labourers and there was no employee and employer relation between them and the said Management. Basing on various judicial pronouncement it has further been held in that award that

the Management is not an Industry within the meaning of the term as defined under the Industrial Disputes Act and therefore both under the principles of res-judicata and constructive res-judicata as also on fact and legal interpretation of the term "Industry" for which a findings has already been given in the above noted I.D. Case No. 148/2001, it is hold that the present reference is not maintainable at all.

ISSUE No. 4 to 7

8. In view of the above findings as recorded under Issue No. 1 to 3 there remains no scope for the Tribunal to answer Issue No. 4 to 7.

9. Accordingly the reference is answered exparte against the disputants with no relief to them.

Dictated & Corrected by me.

N. K. R. MOHAPATRA, Presiding Officer

List of Witnesses Examined on Behalf of The 2nd Party-Workman

The 2nd Party-Workmen has not examined a Single Witness.

List of Documents Exhibited on Behalf of The 2nd Party-Workman

The 2nd Party-Workmen has not exhibited a single document.

List of Witnesses Exhibited on Behalf of The 1st Party-Management

M.W.-1-Shri Pradeep Kumar Ray.

List of Documents Exhibited on Behalf of The 1st Party-Management:—

Ext.-1-Office Memorandum renaming of RRLs of CSIR.

Ext.-2-Extract of the relevant portion of the Memorandum of Association.

Ext.-3-Copy of Award in Tr. I.D. Case No. 148/2001 dated 30-7-2001.

Ext.-4-Letter No. 8(33)/2002-BBS/B, dated 8-11-2002 of A.L.C.(C), Bhubaneswar.

Ext.-5-Reply of Management given in conciliation proceeding.

Ext.-6-Memorandum of Association-Rules and Regulations and Bye-laws.

Ext.-7-Copy of Agreement dated 1-9-2000.

नई दिल्ली, 21 जनवरी, 2009

का.आ. 406.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एम. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर

के पंचाट (संदर्भ संख्या 30/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-2009 को प्राप्त हुआ था।

[सं. एल-22012/262/2002-आई आर (सी-II)]
स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 21st January, 2009

S.O. 406.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 30/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of MCL and their workman, which was received by the Central Government on 21-1-2009.

[No. L-22012/262/2002-IR (C-II)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

Present : SHRI N. K. R. MOHAPATRA, Presiding Officer

Industrial Dispute Case No. 30/2003

Date of Passing Award, 31st October, 2008

BETWEEN

The Management of the Chief General Manager,
Talcher Area of MCL, P.O., Dera, Talcher, Angul.

...1st Party-Management

And

Their workman represented though the
Vice President, Mahanadi Coalfields
Mazdoor Sabha, P.O. Balanda, Dist. Angul

...2nd Party-Union

APPEARANCES

Shri S.S. Pradhan ... For the 1st Party
Personnel Manager. Management.

Shri B.N. Pani, ... For the 2nd Party-
General Secretary. Union.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947) have referred the following disputes for adjudication vide their Order No. L-22012/263/2002-(IR(CM-II), dated 8-8-2003.

"Whether the action of the Management of MCL in relation to their Deulabera Colliery, Talcher Area in

removing from service Shri Narasingha Biswal, Ex-Loader with effect from 26-2-2001 is legal and justified and proportionate to the charges levelled against? If not, to what relief the workman is entitled?"

2. Shri Narasingha Biswal, a Loader B.C.P.I. of Deulabera Colliery of the Management-Company was charge-sheeted on 7-8-2000 for unauthorized absence from duty from 1-10-1997 onwards. After receipt of a reply on 8-8-2000 from the workman the Management not being satisfied with the same appointed an Enquiry Officer and on the basis of his report terminated him from service after a second show cause in its order dated 26-2-2001.

Challenging the above termination, the Union of the workman raised an Industrial Dispute before the Asst. Labour Commissioner (Central) culminating the same in the present reference.

3. It is alleged by the Union in its claim statement that in the month of October 1997 the workman remained under the medical treatment of Dr. K.C. Biswal, Professor & Head of the Deptt. of Cardio Thoracic Vascular Surgery of S.C.B. Medical College, Cuttack. During such treatment he sent intimations about his treatment through "Postal Certificate of Posting" but it were never considered by the Management even though the copies of the same were produced before the Enquiry Officer. According to the Union after the workman was declared fit by the concerned treating physician he approached Management on 23-11-1998 to join in his duty. But he was not allowed to do so even though the local Deputy Chief Medical Officer (In-charge) of Deulabera/Lingaraj Hospital of the Management-Company found him fit to resume duty and a recommendation was made accordingly by the Manager, Deulabera Colliery to allow him to join in his former post. On the other hand he was referred to the Medical Board since the absence period was for more than 6 months. The workman appeared before the Board on 5-4-2000 and having come to know from a reliable source that he was going to be declared fit, he again approached the Management with a request for his re-engagement. But instead of allowing him to join he was issued with a charge-sheet on 7-8-2000 resulting a departmental enquiry.

4. As regards the propriety of the enquiry it is alleged by the Union that in the enquiry the workman participated taking the help of the Union. But his above narrated facts were never considered by the Enquiry Officer inasmuch as the various intimation he had sent to the Management through certificate of posting intimating his ill health and the fact of his undergoing medical treatment under a specialist of the S.C.B. Medical College were not given due weightage while submitting the enquiry report. Further it is alleged that after the enquiry was closed he was issued with a modified charge-sheet changing the alleged absentee period from 1-10-1997 onwards to 31-10-1997 onwards and

no fresh opportunity was provided to him to meet the above change and as such the enquiry report and the consequential punishment is liable to be vitiated.

5. The 1st Party-Management on the other hand alleged that the disputant-workman was in the habit of remaining absent unauthorizedly ever since his joining. During the year 1997 he remains absent for 287 days and for 305 days in 1998 and in the year 1999. Thereafter when the workman again remained absent unauthorizedly without any intimation or without any sanction of leave from 1-1-1997 onwards, (which was subsequently corrected from 31-10-1997 by way of corrigendum during enquiry) for about a year he was charge-sheeted on the aforesaid grounds on 7-8-2000 asking him to give his show cause. It is further averred by the Management that the show cause given by the workman on 8-8-2000 not being satisfactory, an enquiry officer was appointed and the matter was enquired into by providing full opportunities to the workman to defend himself and that ultimately he was removed from service after a second show cause notice being issued to him. As regards the various allegations made by the Union it is further contended by the Management that having remained absent continuously for about a year the workman appeared on 23-11-1998 with a fitness certificate obtained from a Doctor of S.C.B. Medical College and wanted to join in duty. But as the absentee period was more than one year he was not allowed to join forthwith as per the Standing Order but on the other hand he was referred to appear before a medical board which he did not do. On receipt of another such intimation he no doubt appeared before the medical board and was found fit but on that basis he could not be allowed to join in his post as in such cases, where the period of absence is more than one year, prior permission of the highest authority was needed.

6. As regards the propriety of the enquiry it is contended by the Management that during enquiry the workman was provided with full opportunities to participate and accordingly he was allowed to be assisted by an office bearer of the Union and as such no illegalities or irregularities has been committed by the enquiry officer violating any of the principles of natural justice. The misconduct committed by the workman being serious, the disciplinary authority, having considered the report of the enquiry officer together with the reply of the workman given in response to the second show cause notice, was pleased to pass the final order and as such no illegality was committed. As regards the production of certain documents by the disputant during enquiry and non-appreciation of the same by the enquiring officer it is contended by the Management that, since the workman was never referred to S.C.B. Medical College, the fitness certificate which he produced having obtained from a Doctor of that Medical College was kept outside the purview of consideration. So much so the copies of his so-called letters which he alleged to have had sent to the Management by certificate of

posting were not considered both by the enquiry officer and the disciplinary authority as no such letter was ever received by the Management before the charge-sheet was issued. In the above premises it is claimed by the Management that the punishment given to the workman was just, proper, fair and in accordance with the principles of natural justice.

7. In view of the above pleadings of the parties the following issues were framed :

ISSUES

1. Whether the reference is maintainable?
2. Whether the departmental enquiry held against the workman was fairly conducted with due regard to the principles of natural justice?
3. Whether the action of the Management in removing the workman from service is justified and proportionate to the charges?
4. If not, to what relief he is entitled to?

8. To establish that the enquiry was fairly conducted the Management adduced evidence by examining the enquiry officer and the presenting officer and filed documents marked Ext-1 to Ext.-7. On the other hand the workman in an alike manner examined himself besides producing several documents marked Ext.-A to Ext.-L.

FINDINGS

ISSUE NO. I

9. Admittedly the workman has been removed from service by the Management while he was working as a Loader. As such, in the absence of any evidence contrary to the same, it is held that the reference is maintainable. Accordingly this issue is answered.

ISSUE NO. II

10. Under this issue it has simply been averred and deposed by the workman that he had remained absent from duty from October 1997 for his treatment under Dr. K.C. Biswal, Professor & Head of the Deptt Cardio Thoracic and Vascular Surgery of SCB Medical College, Cuttack. It is further deposed by the workman that when the said Doctor declared him fit he came to join with a medical fitness certificate (Ext-A), dated 23-11-1998 but he was not allowed to do so even though the Dy. C.M.O of the company had declared, him fit by endorsing a certificate on the body of said certificate. Rather on the other hand he was issued with a charge-sheet long thereafter on 7-8-2000 and then was removed from service on the report of the enquiry officer. As regards the manner in which the enquiry was conducted the workman did not say that he was not provided with necessary opportunities to defend himself. But his main grievance is that the various letters which he had sent to the Management by certificate of posting in

respect of his ill health were neither considered by the Management before initiating the proceeding nor the same were considered by the enquiry officer when such letters were produced before him during enquiry. It is further contended that after the closure of the enquiry the Management issued a corrigendum correcting the date 1-10-1997, in to 31-10-1997 in the charge-sheet but he was not provided with a fresh opportunity to have his say on such correction and as such the final order passed by the disciplinary authority is liable to be vitiated.

11. As regards the first contention, the fitness certificate granted by Professor and Head of the Deptt. of Cardio Thoracic Vascular Surgery of SCB Medical College (Ext.-A) and the various endorsements made thereon by the Officer of the company show that he had reported for duty on 27-11-1998 and on 7-12-1998 the Dy. C.M.O (I/C) of Lingaraj Hospital of the Management had found him fit and thereafter he was referred to the Medical Board but was not allowed to join. The circular of the Management dated 9-5-2006 which the Union has filed along with his written argument speaks that if the employee is found fit by the company medical officer the competent authority will allow him to duty pending enquiry if any. It further shows that if the absence period is up to one month the Project Officer/Sub-Area Manager is to allow him to such duty and if the absence period is up to six months the CGM/GM is to allow him to duty and if the absence period is for more than six months the MCL Headquarters is to pass an order allowing the employee to join.

12. Therefore, when admittedly the workman had reported for duty after remaining absent from work for about a year, he should not have been allowed to join forthwith on the basis of the fitness certificate he had obtained from a Doctor to whom he was never referred. Therefore, the Management can not be held guilty for not allowing the workman to join on the basis of such certificate.

13. The evidence of both parties show undoubtedly that the above mentioned corrigendum making correction of a date in the charge-sheet was issued almost at the closing stage of the enquiry. In the first charge-sheet the workman was allegedly shown absent from 1-10-1997 which in the corrigendum was corrected to 31-10-1997. This correction appears to have been made due to typographical error in the original charge-sheet as contended by the Management. In as much as the workman in his reply to the charge-sheet has also admitted that he remained absent from 1st of Nov. 1997. Therefore for not providing another opportunity to the workman to have his say on such corrigendum no illegality seems have been committed by the Management nor it can be said that the same amounts to violation of natural justice.

14. Next as regards the main aspect of the case under consideration, it is worth mentioning that the documents produce by the workman do not show that he had applied

for leave as per rule before or soon after he intended to remain absent from duty. His so-called letters dated 3-4-1998 (Ext.-B) and letter dated 6-10-1998 (Ext.-C) and their connected postal receipts though shows that the letters were sent by certificate of posting (which the Management denies to have received), the same are of little consequence to help the case of the workman, sending of such letters through certificate of posting not being the recognized mode of official communication. Besides, even if it is accepted as such, its contents are such that it can not be taken as leave applications, there being no prayer for leave at all in any of these letters.

15. It was argued by the Management with reference to the certificated Standing Order of the Management-Company that before availing leave one has to apply for the same before hand and in exceptional circumstances it can be applied later with in a reasonable time. In his reply to the charge-sheet the workman admits to have had remained absent from duty from 1-12-1997. He does not say to have applied for leave before or after such date. His so-called letters marked as Ext.-B & C which he claims to have had sent to the Management, one about five months latter and another about 11 months latter, also do not partake the character of leave application, leading to the conclusion that the workman had remained absent without asking for leave.

16. It was argued on behalf of the workman with reference to his documents that during the absence period he was under the treatment of Dr. K.C. Biswal, Professor & Head of the Department of Cardio Thoracic surgery of S.C.B. Medical College, Cuttack. But the fitness certificate (Ext.-A) granted by that Doctor does not show that he was an indoor patient during the entire period from 1-11-1997 to 22-11-1998. More so, when as per the Management-Company's rule he was never referred for his specialized treatment in S.C.B. Medical College & Hospital, a certificate granted by a Doctor of that College & Hospital in his personal capacity simply gives an impression that the same has been obtained by the workman to stage-manage his case. In view of the above discussion, especially when the workman has admitted that he was given full opportunity to defend himself before the enquiry officer, I find no ground to declare the findings of the enquiry officer perverse or malafide.

ISSUE NO. III & IV

17. Now coming to the order of punishment, the law is well settled that the Tribunal's jurisdiction to interfere in such matter is very very limited. It is only when the enquiry officer violates the principles of natural justice or any mandatory provisions of law, judicial review is permissible. The court has to be slow in scrutinizing the appreciation of the evidence by the enquiry officer, unless the intervention is absolutely necessary on the ground that there was no material or that there was any perversity in the findings.

Since in the instant case no instances of perversity or violation of law or Rules is noticed to have taken place, I find no justification to interfere in the punishment given to the disputant.

18. Under the standing order of the Management-Company an employee before availing leave is to apply for the same before hand and in some exceptional circumstance he is required to apply for leave some times later. But the evidence of the workman clearly indicates that he had remained absent without any leave application and that about one year later he had appeared with a fitness certificate granted by a Doctor of the S.C.B. Medical College, Cuttack to whom he was never referred by the Management in accordance with the standing order or circulars issued thereon. Since such type of unhealthy practice of obtaining fitness certificate on private capacity from a Doctor commonly resorted to by many to put dust in the eye of law, the same is not only to be ignored for consideration but the perpetrator is to be dealt with severely to avoid repetition of the same by other employees. The case in hand being of similar in nature I find no justification to interfere in the order of punishment given to the disputant.

19. The reference is answered accordingly.

Dictated & corrected by me.

N. K. R. MOHAPATRA, Presiding Officer

LIST OF WITNESSES EXAMINED ON BEHALF OF THE 2nd PARTY WORKMAN.

Shri Narasinga Biswal.

LIST OF DOCUMENTS EXHIBITED ON BEHALF OF THE 2nd PARTY WORKMAN.

Ext.-A-Copy of Medical Certificate.

Ext.-B-Copy of letter dated 3-4-1998

Ext.-B/1-Copy of under certificate of posting receipt.

Ext.-C-Copy of letter dated 6-10-1998.

Ext.-C/1-Copy of under certificate of posting receipt.

Ext.-D-Copy of reply to charge-sheet.

Ext.-E-Copy of letter dated 16-11-2000.

Ext.-F-Copy of 2nd show cause notice dated 5/6-12-2000.

Ext.-G-Reply dated 19-12-2000 to 2nd show cause notice.

Ext.-H-Copy of termination letter dated 26-2-2001.

Ext.-J-Copy of letter dated 3-3-2001 of P.O., MCL, Deulbera Colliery.

Ext.-K-Copy of certified Standing order of the Management.

Ext.-L-Letter No. 1184 dated 31-3-2000.

LIST OF WITNESSES EXHIBITED ON BEHALF OF THE 1st PARTY-MANAGEMENT.

M.W.-1-Shri Chandra Deo.

M.W.-2-Bijaya Kumar Panda.

LIST OF DOCUMENTS EXHIBITED ON BEHALF OF THE 1st PARTY-MANAGEMENT.

Ext.-1-Original proceeding file conducted against the delinquent-workman.

Ext.-2-Copy of year-wise attendance record of the delinquent-workman.

Ext.-3-Copy of the letter of the Management through which, the delinquent-workman was supplied with the enquiry report.

Ext.-4-Copy of the reply of the delinquent-workman.

Ext.-5-Copy of the report of the medical board which was conducted on 5-4-2000.

Ext.-6-Copy of the removal order passed by the Chief General Manager against the delinquent-workman.

Ext.-6/1-Copy of the formal order of the Project Officer under which the delinquent workman was communicated of the order of the Chief General Manager.

Ext.-7-Copy of the corrigendum dated 16-11-2000.